

THE GOLDEN RULE

Department of the Interior

Semiannual Regulatory Agenda

DEPARTMENT OF THE INTERIOR (DOI)

DEPARTMENT OF THE INTERIOR

Office of the Secretary

25 CFR Ch. I

30 CFR Chs. II and VII

36 CFR Ch. I

43 CFR Subtitle A, Chs. I and II

48 CFR Ch. 14

50 CFR Chs. I and IV

Semiannual Regulatory Agenda

AGENCY: Office of the Secretary, Interior.

ACTION: Semiannual regulatory agenda.

SUMMARY: This notice provides the semiannual agenda of rules scheduled for review or development between October 1998 and April 1999. The

Regulatory Flexibility Act and Executive Order 12866 require publication of the agenda.

ADDRESSES: Unless otherwise indicated, all agency contacts are located at the Department of the Interior, 1849 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: You should direct all comments and inquiries with regard to these rules to the appropriate agency contact. You should direct general comments relating to the agenda to the Office of Regulatory Affairs, Department of the Interior, at the address above or on 202-208-5257 or 202-208-3071.

SUPPLEMENTARY INFORMATION: With this publication, the Department satisfies the requirement of Executive Order 12866 that the Department publish an agenda of rules that we have issued or expect to issue and of currently effective rules that we have scheduled for review.

Simultaneously, the Department meets the requirement of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) to publish an agenda in April and October of each year identifying rules that will have significant economic effects on a substantial number of small entities. We have specifically identified in the agenda rules that will have such effects.

For this edition of the Department's regulatory agenda, we have included the most important significant regulatory actions in The Regulatory Plan, which appears in part II of today's **Federal Register**. The table of contents below lists the Regulatory Plan entries and denotes them by a bracketed bold reference that directs the reader to the appropriate sequence number in part II.

Dated: October 15, 1998.

Richard A. Stephan,

Federal Register Liaison Officer.

Assistant Secretary for Policy, Management and Budget—Proposed Rule Stage

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1583	Records and Testimony; Freedom of Information Act	1090-AA61
1584	Nondiscrimination on the Basis of Sex in Federally Assisted Education Programs or Activities	1090-AA64
1585	Department Hearings and Appeals; Special Rules Applicable to Public Land Hearings and Appeals	1090-AA68

Assistant Secretary for Policy, Management and Budget—Final Rule Stage

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Assistant Secretary for Policy, Management and Budget—Long-Term Actions

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1588	Administrative and Audit Requirements and Cost Principles for Assistance Programs; Buy American Act	1090-AA66
1589	Administrative and Audit Requirements and Cost Principles for Assistance Programs, Seat Belt Usage	1090-AA67

Assistant Secretary for Policy, Management and Budget—Completed Actions

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1591	General Rules Relating to Procedures and Practice; Effect of Decision Pending Appeal	1090-AA63

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Office of the Special Trustee—Proposed Rule Stage

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1593	Appealing Administrative Actions of the Office of the Special Trustee	1035-AA03

United States Fish and Wildlife Service—Proposed Rule Stage

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1594	Update of Addresses for Endangered Species Permit Applications	1018-AE49
1595	Revise and Amend Hunting and Disturbance Regulations on Units of the National Wildlife Refuge System	1018-AE50
1596	Migratory Bird Hunting; Nontoxic Shot; Approval of Tin Shot as Nontoxic for Waterfowl and Coot Shooting	1018-AE61
1597	Migratory Bird Hunting; Nontoxic Shot; Approval of Molyshot as Nontoxic for Waterfowl and Coot Hunting	1018-AE67
1598	Subsistence Management Regulations for Public Lands in Alaska - Subparts C and D—1999-2000 Subsistence Taking of Fish and Wildlife Regulations	1018-AE69
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1602	Refuge Compatibility Regulations Pursuant to the National Wildlife Refuge System Implementation Act of 1997	1018-AE98
1603	Endangered and Threatened Wildlife and Plants; Delist Dismal Swamp Southeastern Shrew	1018-AF00
1604	Marine Mammals; Incidental Take During Specified Activities of Polar Bear and Pacific Walrus	1018-AF02
1605	Endangered and Threatened Wildlife and Plants; Proposal To Remove Peregrine Falcon in North America From List of Endangered and Threatened Wildlife	1018-AF04
1606	Migratory Bird Permits; Addition of Subpart for Management of Overabundant Migratory Bird Population and Establishment of Conservation Order for Mid-Continent Light Goose Population	1018-AF05
1607	Consideration of Listing the Green Iguana (Iguana Iguana) as Injurious, Pursuant to the Lacey Act	1018-AF08
1608	Listing of U.S. Species in Appendix III to CITES	1018-AF09
1609	Reclassification of Morelet's Crocodile (Crocodylus moreleti) From Endangered to Threatened	1018-AF10
1610	Endangered and Threatened Wildlife and Plants; Proposal To List the Slender Campeloma and Armored Snail as Endangered	1018-AF13
1611	Endangered and Threatened Wildlife and Plants; Proposal To List Fourteen Hawaiian Pomace Flies as Endangered or Threatened	1018-AF16
1612	Endangered and Threatened Wildlife and Plants; Proposal To List Six Hawaiian Damselflies as Endangered or Threatened	1018-AF17
1613	Endangered and Threatened Wildlife and Plants; Proposal To List the Wet Canyon Talussnail as Endangered or Threatened	1018-AF19
1614	Proposed Reclassification and Delisting of the Gray Wolf in Certain Parts of Its Range	1018-AF20
1615	Proposed Delisting of the Bald Eagle Throughout the Lower 48 States	1018-AF21
1616	Export of River Otters Taken in Missouri in 1990-1999 and Subsequent Seasons	1018-AF23
1617	Migratory Bird Hunting; Proposed 1999-2000 Migratory Game Bird Hunting Regulations (Preliminary) With Requests for Indian Proposals	1018-AF24
1618	Migratory Bird Hunting; Regulations To Increase Harvest of Mid-Continent Light Geese	1018-AF25
1619	Taking of Marine Mammals by Level B Harassment; Issuance of General Authorization for Scientific Research and Permits for Photography, Educational, and Commercial Purposes	1018-AF26
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United States Fish and Wildlife Service—Final Rule Stage

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1622	Migratory Bird Special Purpose Canada Goose Permit	1018-AE46
1623	Endangered and Threatened Wildlife and Plants; Endangered Status for Willamette Daisy, Fender's Blue Butterfly and Threatened Status for Kincaid's Lupine	1018-AE53
1624	Endangered and Threatened Wildlife and Plants; List Plant Zapata Bladderpod as Endangered	1018-AE54

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United States Fish and Wildlife Service—Final Rule Stage (Continued)

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1627	1998-99 Refuge-Specific Hunting and Fishing Regulations	1018-AE68
1628	Endangered and Threatened Wildlife and Plants; Proposal To List Camatta Canyon Amole as Endangered or Threatened	1018-AE76
1629	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened La Graciosa Thistle, Lompoc Yerba Santa, Gaviota Tarplant, Nipoma Mesa Lupine,&Santa Cruz Tarplant	1018-AE81
1630	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Yreka Phlox	1018-AE82
1631	Endangered and Threatened Species; Proposal To List as Endangered or Threatened Blumer's Dock	1018-AE89
1632	Migratory Bird Harvest Information Programs; Participating States for the 1998-1999 Season	1018-AE96
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United States Fish and Wildlife Service—Long-Term Actions

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1635	Endangered and Threatened Wildlife and Plants	1018-AB66
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1637	Eagle Permits	1018-AB81
1638	Endangered and Threatened Wildlife and Plants	1018-AB97
1639	Endangered and Threatened Wildlife and Plants: San Xavier Talussnail	1018-AC13
1640	Endangered and Threatened Wildlife and Plants; Reclassification of the Loch Lomond Coyote Thistle	1018-AC14
1641	Endangered and Threatened Wildlife and Plants: Parish's Alkali Grass	1018-AC21
1642	Endangered and Threatened Species: Sacramento Splittail	1018-AC26
1643	Export of American Ginseng Harvested in 1994-1996	1018-AC55
1644	General Provisions and General Permit Procedures	1018-AC57
1645	Endangered and Threatened Wildlife and Plants: Arkansas River Shiner	1018-AC62
1646	Endangered and Threatened Wildlife and Plants: Tropical Birds	1018-AC77
1647	Endangered and Threatened Wildlife and Plants: Four Southwestern California Plants	1018-AC88
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1649	Critical Habitat Designation for the Lost River and Shortnose Suckers	1018-AC90
1650	Endangered and Threatened Wildlife and Plants: Least Chub	1018-AC91
1651	Endangered and Threatened Wildlife and Plants: Ten Plants From the California Sierra Nevada Mountains Foothills	1018-AC99
1652	Revision of Migratory Bird Hunting Regulations, 50 CFR Part 20	1018-AD01
1653	Endangered and Threatened Wildlife and Plants: Critical Habitat Designation for the Western Snowy Plover	1018-AD10
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1655	Marine Mammal Protection Act; Measures To Safely Deter Marine Mammals, Including Threatened and Endangered Marine Mammals	1018-AD19
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1659	Seven Plants From the Mountains of Southern California	1018-AD34
1660	Endangered and Threatened Wildlife and Plants: Four Southwestern California Plants	1018-AD38
1661	Endangered and Threatened Wildlife and Plants: Four Plants From Interior Chaparral of Southwestern California and Northwestern Baja California, Mexico	1018-AD60
1662	Export of Appendix I Specimens That Were Bred for Commercial Purposes	1018-AD64
1663	Consolidation of Lists of Wildlife of Federal Concern	1018-AD66
1664	Reclassification of Yacare Caiman From Endangered to Threatened With Special Rule	1018-AD67
1665	Subsistence Management Regulations for Public Lands in Alaska	1018-AD68
1666	Migratory Bird Hunting: Regulations Regarding Prohibition Against Artificially Altering/Manipulating Natural Vegetation in Moist Areas To Attract Waterfowl	1018-AD74

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1669	Endangered and Threatened Species: Removal of Lloyd's Hedgehog Cactus From Federal List of Endangered and Threatened Plants	1018-AD91
1670	Rescission of Administrative Procedures for Grants in Aid (Marine Mammal Protection Act of 1972)	1018-AD92
1671	Safe Harbor Policy and Guidance for Candidate Agreements	1018-AD95
1672	Endangered and Threatened Wildlife and Plants; Proposed Establishment of a Nonessential Experimental Population of Black-Footed Ferrets in Northwestern Colorado and Northeastern UT	1018-AD99
1673	Endangered and Threatened Wildlife and Plants; Proposed Reintroduction of a Nonessential Experimental Population of Grizzly Bears in Idaho and Montana	1018-AE00
1674	Endangered and Threatened Wildlife and Plants; Proposed Establishment of Nonessential Experimental Population of Ten Freshwater Mussels in Holston River System in TN and VA	1018-AE01
1675	Revision to Subchapter C—The National Wildlife Refuge System	1018-AE02
1676	Proposed Approval of Selected State Programs Allowing the Export of Ginseng Harvested in 1997-1999	1018-AE03
1677	Proposed Special Rule With the Reclassification of the Vicuna From Endangered to Threatened	1018-AE04
1678	Importation, Exportation, Transportation of Wildlife	1018-AE08
1679	Export of American Alligator for the 1998-2000 Harvest Seasons	1018-AE15
1680	Announcement of CITES Action Concerning Changes to Appendices to Listed Species; Service Announcement Concerning Reservations	1018-AE16
1681	Revisions to the Federal Aid Administrative Requirements	1018-AE17
1682	Endangered and Threatened Wildlife and Plants: Proposed Endangered Status for Blackburn's Sphinx Moth from the Hawaiian Islands	1018-AE20
1683	Regulations for Administrative and Visitor Facility Sites on National Wildlife Refuges	1018-AE21
1684	Endangered and Threatened Wildlife and Plants; Proposed Status for Ten Plant Taxa From Maui Nui, Hawaii	1018-AE22
1685	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Two Larkspurs From Coastal Northern California	1018-AE23
1686	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Lone Buckwheat and Threatened Status for Lone Manzanita	1018-AE25
1687	Importation of Polar Bear Trophies From Canada; Addition of Populations to the List of Areas Approved for Import	1018-AE26
1688	Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for Newcomb's Snail From the Hawaiian Islands	1018-AE27
1689	Endangered and Threatened Wildlife and Plants; Proposal to List Klamath River Population Segment of Bull Trout as Endangered and Columbia River Population Segment as Threatened	1018-AE29
1690	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for the Plant Keck's Sidalcea From Tulare County, California	1018-AE30
1691	Endangered and Threatened Wildlife and Plants; Proposed Rule to List the Illinois Cave Amphipod as Endangered	1018-AE31
1692	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Plant in Wenatchee Mountains of Washington	1018-AE32
1693	Exportation of Marine Mammal Products for Cultural Exchange	1018-AE33
1694	Injurious Wildlife; Addition of Brush-Tailed Possum	1018-AE34
1695	Migratory Bird Hunting; Extension of Temporary Approval of Tungsten-Iron Shot as Nontoxic for the 1998-99 Season	1018-AE35
1696	Endangered and Threatened Wildlife and Plants; List 3 Aquatic Snails as Endangered; 3 Aquatic Snails as Threatened in Mobile River Basin, Alabama	1018-AE36
1697	Endangered and Threatened Wildlife and Plants; Threatened Status for Virginia Sneezeweed; A Plant From the Shenandoah Valley of Virginia	1018-AE37
1698	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Two Cave Animals From Hawaiian Islands	1018-AE39
1699	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Two San Joaquin Valley Mammals	1018-AE40
1700	Endangered and Threatened Wildlife and Plants; Proposal To List St. Andrew Beach Mouse as Endangered	1018-AE41
1701	Endangered and Threatened Wildlife and Plants; List Topeka Shiner as Endangered	1018-AE42
1702	Endangered and Threatened Wildlife and Plants; Proposed Determination of Threatened Status for Koala	1018-AE43
1703	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Plant Rough Popcornflower	1018-AE44
1704	Endangered and Threatened Wildlife and Plants; Proposed Revision of Special Regulations for Gray Wolf	1018-AE45
1705	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Catesbaea Melanocarpa	1018-AE48
1706	Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Oahu Elepaio from the Hawaiian Islands	1018-AE51

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United States Fish and Wildlife Service—Long-Term Actions (Continued)

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1708	Endangered and Threatened Wildlife and Plants; Determination of the Pecos Pupfish To Be Endangered	1018-AE56
1709	Endangered and Threatened Wildlife and Plants; List Desert Milk Vetch as Threatened	1018-AE57
1710	Seasonal Closure of the Moose Range Meadows Public Access Easements in the Kenai National Wildlife Refuge	1018-AE58
1711	Public Use Regulations for Kodiak National Wildlife Refuge, Alaska	1018-AE60
1712	Eagle Permits; Permits for Falconry Purposes; Permits To Take Golden Eagle Nests	1018-AE62
1713	Migratory Bird Permits; Specific Permit Provisions; Import and Export Permits; Banding or Marking Permits; and Scientific Collecting Permits	1018-AE63
1714	Migratory Bird Permits; Introduction, General Requirements and Exceptions	1018-AE64
1715	Importation, Exportation and Transportation of Wildlife Concerning International Mail, Pet Birds, Border Ports, Shellfish and Fishery Products Exemption	1018-AE70
1716	Implementation of the 1994 Amendments to the Marine Mammals Protection Act	1018-AE72
1717	Reclassification of the Namibian Population of Cheetah From Endangered to Threatened	1018-AE73
1718	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Gentner's Fritilaria (Mission Bells)	1018-AE75
1719	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Mariana Fruit Bat	1018-AE83
1720	Endangered and Threatened Species; Proposal To List Northern Idaho Ground Squirrel as Endangered or Threatened	1018-AE84
1721	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Cowhead Lake Tui Chub	1018-AE85
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1723	Endangered and Threatened Wildlife and Plants; Proposal To List Colorado Butterfly Plant as Endangered or Threatened	1018-AE87
1724	Endangered and Threatened Wildlife and Plants; Proposal To List as Endangered or Threatened Puzzle Sunflower	1018-AE88
1725	Endangered and Threatened Wildlife and Plants; Listing of Several Evolutionary Significant Units of West Coast Steelhead	1018-AE97
1726	Amendment by Brazil to Appendix III Listing of Bigleaf Mahogany	1018-AE99
1727	Endangered and Threatened Wildlife and Plants; List Coastal-Puget Sound Jarbidge River and St. Mary's-Belly River Population Segments of Bull Trout as Threatened	1018-AF01
1728	Endangered and Threatened Wildlife and Plants; Proposal To List Contiguous U.S. Distinct Population Segments of Canada Lynx as Threatened	1018-AF03
1729	Announcement of Draft Policy for Evaluation of Conservation Efforts in Making Listing Decisions	1018-AF11
1730	Endangered and Threatened Wildlife and Plants; Proposal To List the Alabama Sturgeon as Endangered	1018-AF12
1731	Endangered and Threatened Wildlife and Plants; Proposal To List the Scaleshelled Mussel as Endangered or Threatened	1018-AF14
1732	Endangered and Threatened Wildlife and Plants; Proposal To List Sclerocactus Brevispinus (Pariette Cactus) as Endangered or Threatened	1018-AF15
1733	Endangered and Threatened Wildlife and Plants; Proposal To List Allium Gooddingii (Goodding's Onion) as Endangered or Threatened	1018-AF18
1734	Proposed Delisting of the Grizzly Bear in the Yellowstone Ecosystem	1018-AF22
1735	Migratory Bird Permits; Specific Permit Provisions; Special Purpose Permits	1018-AF28

United States Fish and Wildlife Service—Completed Actions

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1737	Endangered and Threatened Wildlife and Plants: Pallid Manzanita	1018-AD35
1738	Export of River Otters Taken in Missouri in 1996-97 and Subsequent Seasons	1018-AD63
1739	Standards for the Humane and Healthful Transport of Wild Reptiles and Amphibians to the United States	1018-AD98
1740	Endangered Species Listing: Preble's Meadow Jumping Mouse	1018-AE06
1741	Subsistence Management Regulations for Public Lands in Alaska; Subparts C&D—1998-99 Subsistence Taking of Fish and Wildlife Regulations	1018-AE12
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United States Fish and Wildlife Service—Completed Actions (Continued)

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1744	Endangered and Threatened Wildlife and Plants; List San Bernardino Kangaroo Rat as Endangered	1018-AE59
1745	Migratory Bird Hunting; Nontoxic Shot; Temporary Approval of Tungsten-Polymer as Nontoxic for the 1998-99 Season	1018-AE66
1746	Endangered and Threatened Wildlife and Plants; List LaGraciosa Thistle as Endangered or Threatened	1018-AE77
1747	Endangered and Threatened Wildlife and Plants; Proposed Rule To List Lompoc Yerba Santa as Endangered or Threatened	1018-AE78
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1749	Endangered and Threatened Wildlife and Plants; Proposal To List Santa Cruz Tarplant as Endangered or Threatened	1018-AE80
1750	Endangered and Threatened Wildlife and Plants; Proposal To Delist Throughout Its Range and Remove the Similarity of Appearance Provision for the American Peregrine Falcon	1018-AE90
1751	Migratory Bird Hunting; Proposed 1997-98 Migratory Game Bird Hunting Regulations (Preliminary) With Requests for Indian Tribal Proposals	1018-AE93
1752	Change in Status of Bolivian Population of Bigleaf Mahogany in Appendix III of CITES	1018-AE94
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National Park Service—Proposed Rule Stage

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1759	Hydroelectric Power Projects in the National Park System	1024-AC64
1760	Personal Watercraft	1024-AC65
1761	Land and Water Conservation Fund of Assistance to States; Post-Completion Compliance Responsibilities	1024-AC68
1762	Vehicles and Traffic Safety; Operating Under the Influence of Alcohol or Drugs	1024-AC69
1763	Solid Waste Sites in Units of the National Park System	1024-AC70

National Park Service—Final Rule Stage

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1768	Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway: Snowmobile and Snowplane Routes and Regulations	1024-AC34
1769	Procedures for State, Tribal, and Local Government Historic Preservation Programs	1024-AC44
1770	Big Cypress National Preserve; Recreational Frogging	1024-AC54
1771	Delaware Water Gap NRA, Bicycle Trail	1024-AC62
1772	Kaloko-Honokohou National Historic Park: Public Nudity	1024-AC66
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National Park Service—Completed Actions

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1777	Leasing Restricted Lands of Members of the Five Civilized Tribes Oklahoma, for Mining	1076-AD33
1778	Exploration, Mining, and Reclamation of Lands	1076-AD36
1779	Tribal Reorganization Under a Federal Statute	1076-AD46
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1783	Loans to Indians From the Revolving Loan Fund	1076-AD59
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1785	School Construction Contracts for Public Schools	1076-AD69
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Bureau of Indian Affairs—Final Rule Stage

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1800	Lead and Zinc Mining Operations and Leases on Quapaw Indian Lands	1076-AD35
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References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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Bureau of Indian Affairs—Completed Actions

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Minerals Management Service—Proposed Rule Stage

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1826	Reviewing Exploration Plans and Development and Production Plans for Coastal Zone Consistency	1010-AC42
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1830	Leasing Sulphur or Oil and Gas in the Outer Continental Shelf	1010-AC49
1831	Change to Delegated State Audit Functions	1010-AC51
1832	Royalty in Kind for Oil and Gas	1010-AC52

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1833	Royalty Payment Liability	1010-AB45
1834	Valuation of Gas From Indian Leases	1010-AB57
1835	Valuation of Oil From Federal Mineral Leases (Reg Plan Seq. No. 46)	1010-AC09
1836	Valuation of Oil From Indian Leases (Reg Plan Seq. No. 47)	1010-AC24
1837	Postlease Operations	1010-AC32
1838	Electronic Reporting	1010-AC40
1839	Update of Industry Electrical Standards	1010-AC50

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Minerals Management Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1840	Credit Adjustments	1010-AB73
1841	Oil and Gas Production Rates	1010-AC53

DOI

Minerals Management Service—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
1842	Deep Water Emergency Well Control Operations	1010-AC54

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1843	Seismic Reassessment of California Outer Continental Shelf Platforms	1010-AC17
1844	Amendments to Standards for Reporting and Paying Royalties on Gas and the Gas Analysis Report	1010-AC23
1845	Suspension of Orders or Decisions Pending Appeal To Allow for Self-Bonding Based Upon Financial Solvency	1010-AC28
1846	Oil Spill Responsibility for Offshore Facilities	1010-AC33
1847	Blowout Preventer Testing Requirements	1010-AC37
1848	Pipelines	1010-AC39
1849	Redesignation of 30 CFR Part 250	1010-AC45
1850	Update of Documents Incorporated by Reference	1010-AC46

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1851	Abandoned Coal Refuse Sites—Title I	1029-AB70
1852	Contemporaneous Reclamation	1029-AB79
1853	Indian Lands	1029-AB83
1854	Dam Safety Rules	1029-AB92
1855	Ownership and Control—Redesign	1029-AB94
1856	Electronic Filing of the OSM-1 Form	1029-AB95

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1857	Definition and Criteria for Valid Existing Rights	1029-AB42
1858	Prohibitions Under Section 522(e) of SMCRA	1029-AB82
1859	Enhancing AML Reclamation	1029-AB89

Office of Surface Mining Reclamation and Enforcement—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1860	Applicant/Violator System Permit Information	1029-AB62
1861	Alluvial Valley Floors	1029-AB85
1862	Removal of 30 CFR 870.17	1029-AB93

Bureau of Reclamation—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1863	Recovering the Value of Rights of Use and Related Administrative Costs	1006-AA39

DOI

Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1864	Revenues Management	1006-AA30
1865	Central Valley Project of California—Purposes, Uses, and Allocation of Water Supplies	1006-AA34
1866	Acreage Limitation Rules for Trusts	1006-AA38

Bureau of Reclamation—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1867	Offstream Storage of Colorado River Water and Interstate Marketing of Storage Credits in the Lower Division States	1006-AA40

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1868	Leases, Permits, and Easements	1004-AB51
1869	Sales—Federal Land Policy and Management Act	1004-AB77
1870	Desert Land Entries	1004-AC56
1871	Disposal of Reserved Minerals Under the Stock Raising Homestead Act	1004-AC59
1872	Land Withdrawals	1004-AC63
1873	Cost Recovery; Mineral Filings and Operations	1004-AC64
1874	Rights-of-Way Under the Mineral Leasing Act	1004-AC74
1875	Railroad Grants	1004-AC76
1876	Land Classification	1004-AC78
1877	Carey Act Grants	1004-AC80
1878	Conveyances, Disclaimers, and Correction Documents	1004-AC82
1879	Segregation and Opening of Lands	1004-AC84
1880	Oil and Gas Leasing and Operations (Reg Plan Seq. No. 48)	1004-AC94
1881	Appeals Procedures; Hearings Procedures	1004-AC99
1882	Color of Title and Omitted Lands	1004-AD00
1883	Paleontological Resources	1004-AD03
1884	Geothermal Resource Unit Agreement	1004-AD10
1885	Coal Management	1004-AD11
1886	Oil and Gas Leasing; National Petroleum Reserve, Alaska— Transfers, Extensions, and Consolidations	1004-AD13
1887	Surface Management (Locatable Minerals) (Reg Plan Seq. No. 49)	1004-AD22
1888	Financial Assistance; Local Governments	1004-AD23
1889	Use Authorizations (Recreation)	1004-AD25
1890	Advisory Committees	1004-AD26
1891	Coal Management: General (Public Participation)	1004-AD27
1892	Mineral Materials Disposal	1004-AD29
1893	Emergency Fire and Disaster Rehabilitation	1004-AD30
1894	Location of Mining Claims; Assessment Work; Public Law 359 - Mining in Powersite Withdrawals	1004-AD31
1895	Mineral Patent Applications; Adverse Claims, Protests, and Conflicts	1004-AD32

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1896	Management of Designated Wilderness Area	1004-AB69
1897	Management of Solid Minerals Other Than Coal	1004-AC49
1898	Mineral Materials Disposal	1004-AC68
1899	Definitions	1004-AC73

DOI

Bureau of Land Management—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1900	Indian Allotments	1004-AC77
1901	Application Procedures	1004-AC83

Bureau of Land Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1902	Coalbed Methane Development	1004-AC27
1903	Oil and Gas Leasing; Drainage	1004-AC54
1904	Helium Contracts	1004-AD24

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1905	Public Availability of Minerals Resources Information	1004-AB55
1906	Special Areas; State Irrigation Districts	1004-AC53
1907	State Exchanges; National Park System Exchanges; Wildlife Refuge Exchanges; Miscellaneous Exchanges	1004-AC58
1908	Grazing Administration; Alaska; Livestock	1004-AC70
1909	Alaska Native Selections	1004-AC72
1910	Use; Rights-of-Way	1004-AC75
1911	Planning, Programming, and Budgeting	1004-AC86
1912	Sustained Yield Forest Units	1004-AC93
1913	National Forest Exchanges	1004-AC97
1914	Grazing Administration: Alaska; Reindeer	1004-AD06
1915	Geothermal Resources Leasing	1004-AD08
1916	Authorities/Mission Statement	1004-AD15
1917	Wild Horse and Burro Adoptions; Power of Attorney	1004-AD28

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1918	Wild and Scenic Rivers	1093-AA08

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1582. NATURAL RESOURCE DAMAGE ASSESSMENTS: TYPE B PROCEDURES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 42 USC 9651(c)

CFR Citation: 43 CFR 11

Legal Deadline: None

Abstract: CERCLA and the Clean Water Act allow natural resource trustees to

bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance. CERCLA requires that natural resource damage assessment regulations be promulgated and that the regulations be reviewed, and revised as appropriate, every two years. This rulemaking is the biennial review of the administrative process for conducting assessments as well as the so-called "type B" procedures for

determining injury and damages through scientific and economic studies. This rulemaking will also address the calculation of lost non-use values of natural resources, in compliance with State of Ohio v. Department of the Interior, 880 F.2d 432 (D.C. Cir. 1989), which ordered the Department to allow for the assessment of all reliably calculated values lost as a result of a natural resource injury.

DOI—ASPMB

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	07/16/96	61 FR 37031
ANPRM Comment Period End	09/16/96	
NPRM	02/00/99	
NPRM Comment Period End	05/00/99	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Willie R. Taylor, Director, Office of Environmental Policy, and Compliance, Department of the Interior, Assistant Secretary for Policy, Management and Budget
Phone: 202 208-3891

RIN: 1090-AA29**1583. RECORDS AND TESTIMONY; FREEDOM OF INFORMATION ACT****Priority:** Info./Admin./Other**Major:** Undetermined**Legal Authority:** 5 USC 552 Freedom of Information Act**CFR Citation:** 43 CFR 2**Legal Deadline:** None

Abstract: 43 CFR part 2, subparts A and B, are being revised in their entirety to reflect the provisions of the new FOIA law "Electronic FOIA Amendments of 1996," Pub. L. 104-231, the recommendations of the National Performance Review lab, and other changes as necessary.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Alexandra Mallus, DOI FOIA Officer (OIRM), Department of the Interior, Assistant Secretary for Policy, Management and Budget
Phone: 202 208-5342

RIN: 1090-AA61**1584. NONDISCRIMINATION ON THE BASIS OF SEX IN FEDERALLY ASSISTED EDUCATION PROGRAMS OR ACTIVITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 92-318; PL 93-568, sec 3; 20 USC 1681; 20 USC 1682; 20 USC 1683; 20 USC 1685; 20 USC 1686**CFR Citation:** 43 CFR 41**Legal Deadline:** None

Abstract: The purpose of this regulatory action is to proscribe discrimination on the basis of sex in federally assisted education programs or activities of the Department of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local, Tribal, Federal

Agency Contact: Melvin C. Fowler, Civil Rights Staff Assistant, Department of the Interior, Assistant Secretary for Policy, Management and Budget
Phone: 202 208-3455

RIN: 1090-AA64**1585. DEPARTMENT HEARINGS AND APPEALS; SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1201**CFR Citation:** 43 CFR 4.415; 43 CFR 4.404; 43 CFR 4.403; 43 CFR 4.405; 43 CFR 4.406; 43 CFR 4.414; 43 CFR 4.401(c)(2); 43 CFR 4.422(c)(2); 43 CFR 4.450-5; 43 CFR 4.407; 43 CFR 4.408**Legal Deadline:** None

Abstract: This document proposes to amend procedural rules governing hearings and appeals in public lands cases. The amendments are necessary to conform the rules to procedural practices contained in decisions of the Interior Board of Land Appeals. The amended rules would provide parties more complete information and more up-to-date procedures than the existing rules.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
NPRM Comment Period End	12/00/98	
Final Action	02/00/99	
Final Action Effective	03/00/99	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Assistant Secretary for Policy, Management and Budget, Interior Board of Appeals, 4015 Wilson Blvd., Arlington, VA, 22203
Phone: 703 235-3750

RIN: 1090-AA68

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Assistant Secretary for Policy, Management and Budget (ASPMB)

1586. • DEPARTMENT HEARINGS AND APPEALS PROCEDURES**Priority:** Info./Admin./Other**Legal Authority:** 43 USC 1201**CFR Citation:** 43 CFR 4.350**Legal Deadline:** None

Abstract: The Office of Hearings and Appeals is amending the definition of

"administrative judge" found in its procedures for heirship determinations under the White Earth Reservation Land Settlement Act of 1985.

Timetable:

Action	Date	FR Cite
Final Action	10/00/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Charles E. Breece, Deputy Director, Department of the Interior, Assistant Secretary for Policy, Management and Budget, 1849 C Street NW., Washington, DC 20240
Phone: 703 235-3810

RIN: 1090-AA69

DEPARTMENT OF THE INTERIOR (DOI)

Long-Term Actions

Assistant Secretary for Policy, Management and Budget (ASPMB)

**1587. REVISED STATUTE 2477
RIGHTS-OF-WAY**

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 43 USC 1201; 43 USC 1732(b); 43 USC 1740; 43 USC 1457; 43 USC 1782(c); 16 USC 668dd; 16 USC 460k-3; 16 USC 1 to 4

CFR Citation: 43 CFR 39

Legal Deadline: None

Abstract: This proposed rule would implement the Secretary of the Interior's June 1, 1993, recommendation to Congress that the Department promulgate regulations addressing rights-of-way pursuant to R.S. 2477 across lands now administered by the Bureau of Land Management, the National Park Service, and the U.S. Fish and Wildlife Service. R.S. 2477-a provision adopted in 1866 that granted a right-of-way for the construction of highways across public land not reserved for public uses--was repealed in 1976 but valid existing rights-of-way were not terminated. This proposed rule is intended to clarify the meaning of the statute and provide a workable administrative process and standards for recognizing valid claims.

Timetable:

Action	Date	FR Cite
NPRM	08/01/94	59 FR 39216
NPRM Comment Period End	08/01/95	60 FR 4135
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Ron Montagna, Realty Specialist, Department of the Interior, Assistant Secretary for Policy, Management and Budget

Phone: 202 452-7782

RIN: 1090-AA44

**1588. ADMINISTRATIVE AND AUDIT
REQUIREMENTS AND COST
PRINCIPLES FOR ASSISTANCE
PROGRAMS; BUY AMERICAN ACT**

Priority: Info./Admin./Other

Unfunded Mandates: This action may affect State, local or tribal governments.

Legal Authority: 5 USC 301; 31 USC 6101 note; 31 USC 7501; 41 USC 252a; 41 USC 701 et seq; PL 104-256, sec 501; PL 105-62, sec 503; PL 105-62, sec 303; PL 105-83, sec 307; EO 12549; EO 12674; EO 12689; EO 12731; OMB Circular A-102; OMB Circular A-110

CFR Citation: 43 CFR 12

Legal Deadline: None

Abstract: This final rule is in response to the "Department of the Interior and Related Agencies Appropriations Act, 1998," and the "Energy and Water Development Appropriations Act, 1998." It implements provisions regarding lobbying restrictions; denial of funds for preventing ROTC access to campuses; and the purchase of American-made equipment and products.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Debra E. Sonderman, Director, Procurement and Property, Management Systems, Department of the Interior, Assistant Secretary for Policy, Management and Budget
Phone: 202 208-3336

RIN: 1090-AA66

**1589. ADMINISTRATIVE AND AUDIT
REQUIREMENTS AND COST
PRINCIPLES FOR ASSISTANCE
PROGRAMS, SEAT BELT USAGE**

Priority: Info./Admin./Other

Legal Authority: 5 USC 301; 31 USC 6101 note; 31 USC 7501; 41 USC 252a; 41 USC 701 et seq; PL 104-256, sec 501; PL 105-62, sec 503; PL 105-62, sec 303; PL 105-83, sec 307; EO 12549; EO 12674; EO 12689; EO 12731; EO 13043; OMB Circular A-102

CFR Citation: 43 CFR 12

Legal Deadline: None

Abstract: This final rule will implement sections 1(c) and 2 in Executive Order 13043 of April 16, 1997, "Increasing Seat Belt Use in the United States." This rule will amend section 12.2 of subpart A of 43 CFR part 12 to add these provision and will apply to grants and cooperative agreements awarded by the Department.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Additional Information: LEGAL AUTHORITY CONT: OMB Circular A-110; OMB Circular A-133

Agency Contact: Debra E. Sonderman, Director, Procurement and Property, Management Systems, Department of the Interior, Assistant Secretary for Policy, Management and Budget
Phone: 202 208-3336

RIN: 1090-AA67

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Assistant Secretary for Policy, Management and Budget (ASPMB)

**1590. PRINCIPLES OF ETHICAL
CONDUCT**

Priority: Info./Admin./Other

CFR Citation: 5 CFR 3501; 43 CFR 20

Completed:

Reason	Date	FR Cite
Final Action	06/24/98	63 FR 34258

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mason Tsai
Phone: 202 208-5916

RIN: 1090-AA38

**1591. GENERAL RULES RELATING TO
PROCEDURES AND PRACTICE;
EFFECT OF DECISION PENDING
APPEAL**

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 4.21

DOI—ASPMB

Completed Actions

Completed:

Reason	Date	FR Cite
Withdrawn - No Further Action at This Time	07/01/98	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: James L. Byrnes

Phone: 703 235-3750

RIN: 1090-AA63

BILLING CODE 4310-RK-F

DEPARTMENT OF THE INTERIOR (DOI)
Office of the Special Trustee (OST)

Proposed Rule Stage

1592. SPECIAL DEPOSITS

Priority: Info./Admin./Other

Legal Authority: 42 USC 4043

CFR Citation: 25 CFR 87; 25 CFR 115; 25 CFR 122; 25 CFR 179; 25 CFR 111; 25 CFR 116; 25 CFR 123; 25 CFR 112; 25 CFR 117; 25 CFR 124; 25 CFR 114; 25 CFR 121; 24 CFR 125

Legal Deadline: None

Abstract: This rule transfers from the Bureau of Indian Affairs to the Office of the Special Trustee for American Indians (OST) 13 CFR parts relating to management of Indian trust funds. The Department is making this change to implement title II of the American Indian Trust Fund Management Reform Act of 1994. This change will clarify the questions that have arisen since the passage of the Act about the responsibilities of BIA and OST regarding trust resources and assets.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: State, Local, Tribal

Agency Contact: Sarah Yepa, Chief, Division of Quality Assurance, Department of the Interior, Office of the Special Trustee
Phone: 505 248-5751
Fax: 505 248-5782
RIN: 1035-AA01

1593. APPEALING ADMINISTRATIVE
ACTIONS OF THE OFFICE OF THE
SPECIAL TRUSTEE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 103-412

CFR Citation: 25 CFR 1202

Legal Deadline: None

Abstract: This rule will establish a procedure for appealing decisions of the Office of the Special Trustee and the Office of Trust Funds Management.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: Federal

Agency Contact: Sarah Yepa, Chief, Division of Quality Assurance, Department of the Interior, Office of the Special Trustee
Phone: 505 248-5751
Fax: 505 248-5782

RIN: 1035-AA03

BILLING CODE 4310-53-F

DEPARTMENT OF THE INTERIOR (DOI)
United States Fish and Wildlife Service (FWS)

Proposed Rule Stage

1594. UPDATE OF ADDRESSES FOR
ENDANGERED SPECIES PERMIT
APPLICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service amends the regulations for endangered and threatened wildlife and plants to update the addresses for submission of endangered species permit applications.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
Fax: 703 358-2324
Email: laverne_smith@fws.gov

RIN: 1018-AE49

1595. REVISE AND AMEND HUNTING
AND DISTURBANCE REGULATIONS
ON UNITS OF THE NATIONAL
WILDLIFE REFUGE SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 460K; 16 USC 664; 16 USC 668dd; 16 USC 685; 16 USC 690d; 16 USC 715i; 16 USC 715s; 16 USC 725; 43 USC 315a; 5 USC 301;

5 USC 685; 5 USC 752; 5 USC 690d; PL 105-57

CFR Citation: 50 CFR 25; 50 CFR 27; 50 CFR 32

Legal Deadline: None

Abstract: The Service proposes to revise nontoxic shot provisions for hunting upland game on Waterfowl Production Areas and other units of the National Wildlife Refuge System (System), and modify certain disturbance regulations against plants, animals, and nonwildlife property on all units of the System.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis
Required: No

DOI—FWS

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Rick Coleman, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, 670 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2029
Fax: 703 358-2248
Email: rick_coleman@fws.gov

RIN: 1018-AE50

1596. MIGRATORY BIRD HUNTING; NONTOXIC SHOT; APPROVAL OF TIN SHOT AS NONTOXIC FOR WATERFOWL AND COOT SHOOTING

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 703 to 712; 16 USC 742(a) to 742(j)

CFR Citation: 50 CFR 20.21

Legal Deadline: None

Abstract: The Service proposes to amend section 20.21(j) and approve tin shot as nontoxic for waterfowl and coot hunting. A toxicological report that includes an extensive literature review and an analysis of tin suggests that these compounds are nontoxic under assumed use and in the environment. The toxicity study reveals no adverse effects over a 30-day period on mallard ducks (*Anas platyrhynchos*) dosed with 8 bb-size tin shot pellets.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Paul Schmidt, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1714
Fax: 703 358-2217
Email: paul_schmidt@fws.gov

RIN: 1018-AE61

1597. MIGRATORY BIRD HUNTING; NONTOXIC SHOT; APPROVAL OF MOLYSHOT AS NONTOXIC FOR WATERFOWL AND COOT HUNTING

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 703 to 712; 16 USC 742(a) to 742(j)

CFR Citation: 50 CFR 20

Legal Deadline: None

Abstract: The Service proposes to amend section 20.21(j) and approve molyshot as nontoxic for waterfowl and coot hunting. A toxicological report that includes an extensive literature review and an analysis of molyshot components suggests that these compounds are nontoxic under assumed use and in the environment. The toxicity study reveals no adverse effects over a 30-day period on mallard ducks (*Anas platyrhynchos*) dosed with 8 bb-sized molyshot pellets.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: Paul Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1714
Fax: 703 358-2217
Email: paul_schmidt@fws.gov

RIN: 1018-AE67

1598. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA - SUBPARTS C AND D—1999-2000 SUBSISTENCE TAKING OF FISH AND WILDLIFE REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 3111 to 3126

CFR Citation: 50 CFR 100

Legal Deadline: None

Abstract: This rule would revise the customary and traditional use determinations and establish regulations for hunting and trapping seasons, harvest limits, methods, and

means related to taking of wildlife for subsistence uses during the 1999-2000 regulatory year. The rulemaking is necessary because subpart D regulations require annual public review, and customary and traditional use determinations are also open to the same annual regulatory revision process. When final this rulemaking will replace hunting and trapping regulations in "Subsistence Management Regulations for Public Lands in Alaska; subparts C and D--1998-1999 Subsistence Taking of Fish and Wildlife Regulations," which expires on June 30, 1999. This is a joint program with the Departments of Interior and Agriculture.

Timetable:

Action	Date	FR Cite
NPRM	08/17/98	63 FR 43990
NPRM Comment Period End	10/23/98	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Richard Pospahala, Chief, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 E Tudor Road, Anchorage, AK 99503
Phone: 907 786-3467

RIN: 1018-AE69

1599. MIGRATORY BIRD HUNTING; REDUCTION OF THE MID-CONTINENT LESSER SNOW GOOSE POPULATION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 601; 44 USC 3507d; 16 USC 703 to 711; 5 USC 553(d)(3); 2 USC 1502; 5 USC 8

CFR Citation: 50 CFR 20

Legal Deadline: None

Abstract: The Service plans on publishing a notice of intent followed by a proposed rule pertaining to an Environmental Assessment to review aspects of migratory bird hunting regulations and evaluate alternatives to reduce the overabundant mid-continent lesser snow goose population by 50 percent by 2005.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

DOI—FWS

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Paul R. Schmidt, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1840 C Street NW., Washington, DC 20240
Phone: 703 358-1714
Fax: 703 358-2217
Email: paul_schmidt@fws.gov**RIN:** 1018-AE74**1600. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED IN THE UNITED STATES THE SHORT-TAILED ALBATROSS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to list as endangered in the United States the short-tailed albatross. Due to an oversight when the foreign and native species lists of the 1969 Endangered Species Conservation Act were merged, the U.S. population of this species was not listed. This proposed listing, if made final, would extend endangered status throughout the species' range. The species nests on certain Japanese islands but ranges into U.S. coastal waters.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
Fax: 703 358-2324
Email: laverne_smith@fws.gov**RIN:** 1018-AE91**1601. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ESTABLISHMENT OF NONESSENTIAL EXPERIMENTAL POPULATION STATUS FOR 16 FRESHWATER MUSSELS AND 1 FRESHWATER SNAIL****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to establish nonessential experimental population (NEP) status for 16 freshwater mussels and 1 freshwater snail in the free-flowing reach of the Tennessee River below Wilson Dam, Colbert and Lauderdale Counties, Alabama. None of these species are currently known to exist in this river reach or its tributaries. Thus, to ensure that any reintroduced species that may move into the tributaries are covered by these NEP designations, we also propose that the geographic boundaries of the NEPs include the lower 5 miles (8km) of all tributaries that enter the Wilson Dam tailwater.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
Fax: 703 358-2324
Email: laverne_smith@fws.gov**RIN:** 1018-AE92**1602. • REFUGE COMPATIBILITY REGULATIONS PURSUANT TO THE NATIONAL WILDLIFE REFUGE SYSTEM IMPLEMENTATION ACT OF 1997****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 16 USC 460k; 16 USC 668dd; 16 USC 742a; 16 USC 3101; 44 USC 3501**CFR Citation:** 50 CFR 25; 50 CFR 26; 50 CFR 27; 50 CFR 29; 50 CFR 32; 50 CFR 36**Legal Deadline:** None

Abstract: The Service proposes to revise compatibility regulations improving management of the National Wildlife Refuge System in accordance with requirements in the National Wildlife System Improvement Act of 1997 that amends the National Wildlife System Administration Act of 1966. Its purpose is to provide guidance for determining compatibility of proposed and existing uses on units of the system and procedures for documentation and periodic review of such uses. It also ensures that proposed and existing refuge uses are administered according to laws, regulations, and policies concerning compatibility.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Rick Coleman, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, 670 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2029
Fax: 703 358-2248
Email: rick_coleman@fws.gov**RIN:** 1018-AE98**1603. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DELIST DISMAL SWAMP SOUTHEASTERN SHREW****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to remove the Dismal Swamp Southeastern Shrew from the list of endangered and threatened wildlife. The Dismal Swamp Southeastern Shrew was listed as a threatened species in 1986 under the Endangered Species Act of 1973, as amended. New data indicate that this species is more widely distributed than previously believed, is fairly abundant within its range, occurs in a wide variety of habitats, and is genetically secure. The Service concludes that the data supporting the original classification

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were incomplete and that the new data indicate removing the Dismal Swamp Southeastern Shrew from the list of endangered and threatened wildlife is warranted.

Timetable:

Action	Date	FR Cite
NPRM	10/21/98	63 FR 56128
NPRM Comment Period End	12/21/98	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF00

1604. • MARINE MAMMALS; INCIDENTAL TAKE DURING SPECIFIED ACTIVITIES OF POLAR BEAR AND PACIFIC WALRUS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: The Service is proposing regulations that would authorize for the next five years the incidental, unintentional take of small numbers of polar bear and Pacific walrus during year-round oil and gas industry operations (exploration, development, and production) in the Beaufort Sea and adjacent Northern Coast of Alaska.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Hannibal Bolton, Chief, Division of Fish and Wildlife, Management Assistance, Department of the Interior, United States Fish and Wildlife Service, 840 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: hannibal_bolton@fws.gov

RIN: 1018-AF02

1605. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO REMOVE PEREGRINE FALCON IN NORTH AMERICA FROM LIST OF ENDANGERED AND THREATENED WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to remove the peregrine falcon in North America from the list of Endangered and Threatened Wildlife. The Service proposes this action because the available data indicate that this species has recovered following restrictions on organochlorine pesticides in the U.S. and Canada and following implementation of successful management activities, including the reintroduction of captive bred and relocated wild hatchling peregrine falcons. Currently, a minimum of 1,204 American peregrine falcon pairs are found in Alaska, Canada, and the western U.S., and a minimum of 173 falcon pairs are found in the eastern U.S. At least 31 pairs occur in 6 midwestern States not covered by the Peregrine Falcon Recovery Plan or the two recovery plans for the American peregrine falcon in the western United States. The proposed action will remove the American peregrine falcon as an endangered species and will remove the designation of endangered due to similarity of appearance for any free-flying peregrine falcons within the 48 coterminous States from the list of endangered and threatened wildlife. The proposed action removes all Endangered Species Act protections from all subspecies and populations of North American Flaco Peregrinus. There is a mandatory five-year monitoring program that follows delisting.

Timetable:

Action	Date	FR Cite
NPRM	08/26/98	63 FR 45446
NPRM Comment Period End	11/24/98	
Final Action	08/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF04

1606. • MIGRATORY BIRD PERMITS; ADDITION OF SUBPART FOR MANAGEMENT OF OVERABUNDANT MIGRATORY BIRD POPULATION AND ESTABLISHMENT OF CONSERVATION ORDER FOR MID-CONTINENT LIGHT GOOSE POPULATION

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 712(2)

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: The Service proposes to add a new subpart to 50 CFR part 21 for the management of overabundant migratory birds. We (in cooperation with State wildlife agencies) are further proposing to implement a population reduction program by establishing a conservation order for mid-continent light geese under the authority of the proposed subpart. Collectively, mid-continent lesser snow and Ross' geese (referred to as mid-continent light geese; MCLG) have all exceeded their population objective levels in both the U.S. and Canada. Due to the high population growth rates facilitated by abundant agricultural food resources in the mid-continent U.S. and prairie Canada, a decline in adult mortality, and an increase in winter survival, MCLG have approached population sizes that are a threat to both themselves and to other migratory bird populations. These populations must be reduced soon to avoid further habitat degradation and to avoid further negative impacts to migratory birds or their associated habitats.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis

Required: No

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Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Paul Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF05

1607. • CONSIDERATION OF LISTING THE GREEN IGUANA (IGUANA IGUANA) AS INJURIOUS, PURSUANT TO THE LACEY ACT

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: The Humane Society of the United States requested that the Service list the green iguana as injurious under the Lacey Act. Iguanas are released into the wild by their owners for various reasons. These iguanas may be carriers of Salmonella bacteria and could negatively impact native populations. A notice requesting information will be published so that data can be gathered as to the injurious nature of the iguanas. This information will be analyzed to determine whether listing is warranted.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Hannibal Bolton, Chief, Division of Fish and Wildlife, Management Assistance, Department of the Interior, United States Fish and Wildlife Service, 840 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: hannibal_bolton@fws.gov

RIN: 1018-AF08

1608. • LISTING OF U.S. SPECIES IN APPENDIX III TO CITES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 1531 et seq; 16 USC 4201; PL 99-625

CFR Citation: 50 CFR 23

Legal Deadline: None

Abstract: Listing of native U.S. species in appendix III to CITES for more effective monitoring of trade, to ensure that traded specimens are legally acquired in their State(s) of origin, and to obtain the cooperation of other countries that are parties to CITES, in controlling the trade in such specimens.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 750 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF09

1609. • RECLASSIFICATION OF MORELET'S CROCODILE (CROCODYLUS MORELETI) FROM ENDANGERED TO THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq; 16 USC 4201; PL 99-625

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: Reclassify Morelet's crocodile from endangered to threatened with a special rule to allow for the importation of specimens from captive-breeding operations that have been registered with the CITES Secretariat. Only one such facility in Mexico has been registered. Reclassification will be based on a review of the population status and management, including protected status of the species in range countries.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 750 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: susan_lieberman@fws.gov

RIN: 1018-AF10

1610. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST THE SLENDER CAMPELOMA AND ARMORED SNAIL AS ENDANGERED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, December 31, 1998.

Abstract: The armored snail occurs in Piney and Limestone Creeks, Alabama. Threats include a general deterioration of water quality resulting from siltation and other pollutants. The slender campeloma is also a snail and is currently believed to occur only in the middle to lower reaches of Round Island, Piney, and Limestone Creeks, Alabama. Threats also include a general deterioration of water quality.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF13

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1611. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST FOURTEEN HAWAIIAN POMACE FLIES AS ENDANGERED OR THREATENED**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, December 31, 1998.

Abstract: These fourteen species of insects are native to Hawaii and have experienced dramatic declines in abundance. Some of the primary threats facing these species are ongoing and threatened destruction and adverse modification of habitat by feral animals and alien plants.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF16**1612. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST SIX HAWAIIAN DAMSELFLIES AS ENDANGERED OR THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, December 31, 1998.

Abstract: These Hawaiian damselflies are all confined to the Hawaiian Islands. Historically, damselflies were among the most common and conspicuous native Hawaiian insects. Threats include the severe alteration of freshwater habitats because of past and present land and water management practices, including agriculture, urban development of groundwater, perched

aquifer and surface water resources, and the introduction of alien animals.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF17**1613. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST THE WET CANYON TALUSSNAIL AS ENDANGERED OR THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Judicial, December 31, 1998.

Abstract: This species is known from a single population in Arizona. The exceptionally small range of this snail makes it vulnerable to minimal human activity as well as any natural catastrophic event.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF19**1614. • PROPOSED RECLASSIFICATION AND DELISTING OF THE GRAY WOLF IN CERTAIN PARTS OF ITS RANGE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service is currently undertaking a status review and preparing a proposed rule to reclassify certain populations of the gray wolf from endangered to threatened status under the Endangered Species Act, based on the recent recovery achievements, and to delist the wolf in other parts of its range where recovery has been accomplished.

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF20**1615. • PROPOSED DELISTING OF THE BALD EAGLE THROUGHOUT THE LOWER 48 STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The bald eagle was reclassified to threatened status throughout the lower 48 States in 1995. Continued recovery gains and increasing population trends now make it possible to propose the removal of the eagle from the endangered species list. A comprehensive status review of eagle population data and existing protections is currently underway.

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	

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Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF21**1616. • EXPORT OF RIVER OTTERS TAKEN IN MISSOURI IN 1998-1999 AND SUBSEQUENT SEASONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

Abstract: The purpose of this rule is to announce proposed findings by CITES Scientific and Management Authorities of the United States on the export of river otters taken in the State of Missouri, and to propose to add Missouri to the list of States and Indian Nations for which the export of river otter skins is approved. This approval is on a multi-year basis. The Service proposes to apply these findings to river otters taken in Missouri during the 1998-1999 season, and subsequent seasons, subject to the conditions applying to other approved States.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 750 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1708
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RIN: 1018-AF23**1617. • MIGRATORY BIRD HUNTING; PROPOSED 1999-2000 MIGRATORY GAME BIRD HUNTING REGULATIONS (PRELIMINARY) WITH REQUESTS FOR INDIAN PROPOSALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712; 16 USC 742(a) to 742(j)**CFR Citation:** 50 CFR 20**Legal Deadline:** None

Abstract: The Service proposes to establish annual hunting regulations for certain migratory game birds. The Service also requests proposals from Indian tribes that wish to establish special migratory bird hunting regulations. The establishment of these regulations will permit the taking of the designated species during the 1999-2000 hunting season. The Service annually prescribes outside limits within which States may select hunting seasons. The Service has also employed guidelines to establish special migratory bird hunting regulations on Federal Indian reservations and ceded lands. These seasons provide hunting opportunities for recreation and subsistence; aid Federal, State, and tribal governments in the management of migratory game birds; and are designed to permit harvests at levels compatible with migratory bird population status and habitat conditions.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Paul Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF24**1618. • MIGRATORY BIRD HUNTING; REGULATIONS TO INCREASE HARVEST OF MID-CONTINENT LIGHT GEESSE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 712; 16 USC 742(a) to 742(j)**CFR Citation:** 50 CFR 20**Legal Deadline:** None

Abstract: The Service proposes to revise 50 CFR part 20 to authorize the use of additional hunting methods to increase harvest of mid continent lesser snow and Ross' geese (mid-continent light geese) during a light-geese only season when all other migratory game bird hunting seasons have closed and remain closed throughout the remaining current migratory hunting season frameworks. This revision is expected to provide a biologically sound and cost-effective and efficient method for the reduction and management of overabundant mid-continent light goose populations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Paul Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF25**1619. • TAKING OF MARINE MAMMALS BY LEVEL B HARASSMENT; ISSUANCE OF GENERAL AUTHORIZATION FOR SCIENTIFIC RESEARCH AND PERMITS FOR PHOTOGRAPHY, EDUCATIONAL, AND COMMERCIAL PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 103-238; 16 USC 1361 to 1407**CFR Citation:** 50 CFR 18**Legal Deadline:** None

Abstract: The Service proposes to issue regulations which would allow us to

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authorize harassment but not injury or death of polar bear, Northern sea otter, and walrus for scientific research, photography, and for educational or commercial purposes. This rule would further implement the 1994 Amendments to the Marine Mammal Protection Act.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Margaret Tieger, Chief, Branch of Permits, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 700 ARLSQ, 1849 C Street NW., Washington, DC 20240

Phone: 703 358-2104
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Email: margaret_tieger@fws.gov
RIN: 1018-AF26

1620. • HUMANE AND HEALTHFUL TRANSPORT OF WILD MAMMALS, BIRDS, REPTILES, AND AMPHIBIANS TO THE UNITED STATES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 18 USC 42; 16 USC 3371 to 3378

CFR Citation: 50 CFR 14

Legal Deadline: None

Abstract: The proposed rule contains amendments designed to add numerous transport standards to part 14 for reptiles and amphibians. Standards

have already been promulgated for mammals and birds.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Rosemarie Gnam, Chief, Branch of Operations, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 700 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2095
Fax: 703 358-2298
Email: rosemarie_gnam@fws.gov
RIN: 1018-AF27

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

United States Fish and Wildlife Service (FWS)

1621. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: INTERCROSS PROGENY POLICY AND DEFINITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Fish and Wildlife Service and the National Marine Fisheries Service propose to amend the regulations implementing the Endangered Species Act by adding definitions for intercross and intercross progeny (to include hybrids). Also, 50 CFR 17.11(g) and 17.12(g) will be amended by adding wording to indicate that the listing of a taxon as endangered or threatened would include all individuals that share characteristic traits of that taxon, including individuals produced under conditions of confinement. The amendments are necessary in order to proceed with the evaluation and implementation of intercrossing as a recovery technique for the Florida panther.

Timetable:

Action	Date	FR Cite
NPRM	02/07/96	61 FR 4710
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AC54

1622. MIGRATORY BIRD SPECIAL PURPOSE CANADA GOOSE PERMIT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 712

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: The Service proposes, in cooperation with State wildlife agencies, to establish a Canada goose wildlife damage management program. This program is designed to provide a more cost-effective and efficient method for the control of locally breeding (resident) Canada geese that pose a threat to health and human safety and are responsible for damage to personal and public property.

Timetable:

Action	Date	FR Cite
NPRM	03/31/98	63 FR 15698
NPRM Comment Period End	06/01/98	
NPRM Comment Period Reopened	07/23/98	63 FR 39553
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Paul R. Schmidt, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE46

1623. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR WILLAMETTE DAISY, FENDER'S BLUE BUTTERFLY AND THREATENED STATUS FOR KINCAID'S LUPINE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

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Final Rule Stage

CFR Citation: 50 CFR 17**Legal Deadline:** NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes endangered status pursuant to the Endangered Species Act of 1973, as amended, for Willamette daisy and Fender's blue butterfly and threatened status for Kincaid's lupine. These species are restricted to native prairie in the Willamette Valley in Oregon and currently are known from a few small remnants of a formerly widespread distribution. In addition to its Oregon occurrences, Kincaid's lupine also is known from one small site in southern Washington. The three taxa are threatened by one or more of the following: commercial and/or residential development, agriculture, silviculture, road improvement, over-collection, herbicide use, and naturally occurring demographic and random environmental events.

Timetable:

Action	Date	FR Cite
NPRM	01/27/98	63 FR 3863
NPRM Comment Period End	03/30/98	
Final Action	01/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE53

1624. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST PLANT ZAPATA BLADDERPOD AS ENDANGERED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list the plant Zapata bladderpod as an endangered species under the Endangered Species Act of 1973, as amended. It is known from four locations in Zapata and Starr Counties,

Texas (private land, highway right-of-way, and NWR land). This species is threatened by increased urban development, highway construction, increased oil and gas activities, alteration and conversion of native plant communities to improved pastures, overgrazing, and potential vulnerability from lowered genetic diversity due to presently low population numbers.

Timetable:

Action	Date	FR Cite
NPRM	01/22/98	63 FR 3301
NPRM Comment Period End	03/23/98	
Final Action	01/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE54

1625. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED STATUS FOR THE PLANT PRAIRIE PENNY CRESS FROM COASTAL NORTHERN CALIFORNIA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes endangered status pursuant to the Endangered Species Act of 1973, as amended, for one plant, Kneeland prairie pennycress. This plant is known from Kneeland prairie in Humboldt County, CA, where it grows in coastal prairie on serpentine outcrops. Habitat loss, potential road realignment and proposed airport expansion activities imperil the continued existence of this plant. The restricted range of this species, limited to a single population, increases the risk of extinction from naturally occurring events such as fire.

Timetable:

Action	Date	FR Cite
NPRM	02/12/98	63 FR 7112
NPRM Comment Period End	04/13/98	
Final Action	02/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE55

1626. MIGRATORY BIRD PERMITS; FEDERAL FALCONRY STANDARDS; DETERMINATION THAT VERMONT AND WEST VIRGINIA MEET OR EXCEED FEDERAL FALCONRY STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 712(2)

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: The Service proposes to amend the Federal falconry standards to add Vermont and West Virginia as falconry States. This approval will lift a prohibition for these states to practice falconry. The Service is also republishing the entire list of States approved for falconry. The Service proposes to administratively correct the regulations concerning the procedures for certification of compliance. The present procedures do not clearly outline the procedures followed for the certification process.

Timetable:

Action	Date	FR Cite
NPRM	08/18/98	63 FR 44229
NPRM Comment Period End	09/17/98	
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

DOI—FWS

Final Rule Stage

Agency Contact: Paul Schmidt, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE65

1627. 1998-99 REFUGE-SPECIFIC HUNTING AND FISHING REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 16 USC 460k; 16 USC 664; 16 USC 668dd; 16 USC 715i

CFR Citation: 50 CFR 32

Legal Deadline: None

Abstract: Refuge hunting and fishing programs are reviewed annually to determine whether additional refuges should be added or whether individual refuge regulations governing existing programs should be modified, deleted, or have additions made to them. Changing environmental conditions, State and Federal regulations, and other factors affecting wildlife populations and habitat may warrant modifications ensuring continued compatibility of hunting and fishing with the purposes for which the individual refuges and the National Wildlife Refuge System were established.

Timetable:

Action	Date	FR Cite
NPRM	07/27/98	63 FR 40080
NPRM Comment Period End	08/26/98	
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Rick Coleman, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, 670 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: rick_coleman@fws.gov

RIN: 1018-AE68

1628. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST CAMATTA CANYON AMOLE AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list Camatta Canyon amole (*Chlorogalum purpureum* var. *reductum*) as endangered or threatened. This species is known from San Luis Obispo County, CA. Threats include CRV activity, cattle grazing, and predation by rodents.

Timetable:

Action	Date	FR Cite
NPRM	03/30/98	63 FR 15158
NPRM Comment Period End	05/29/98	
Final Action	03/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE76

1629. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED LA GRACIOSA THISTLE, LOMPOC YERBA SANTA, GAVIOTA TARPLANT, NIPOMA MESA LUPINE, & SANTA CRUZ TARPLANT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened Nipomo Mesa lupine (*Lupinus nipomensis*). This species is known from San Luis Obispo, CA. Threats include habitat modification, hazardous waste clean-up and off-road vehicle impacts.

Timetable:

Action	Date	FR Cite
NPRM	03/30/98	63 FR 15164
NPRM Comment Period End	05/29/98	
Final Action	03/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE81

1630. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED YREKA PHLOX

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened Yreka phlox (*Phlox hirsuta*). This species is known from Siskiyou County, northern CA. Threats include development and road maintenance activities.

Timetable:

Action	Date	FR Cite
NPRM	04/01/98	63 FR 15820
NPRM Comment Period End	06/01/98	
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE82

DOI—FWS

Final Rule Stage

1631. ENDANGERED AND THREATENED SPECIES; PROPOSAL TO LIST AS ENDANGERED OR THREATENED BLUMER'S DOCK**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened Blumer's dock (*Rumex orthoneurus*). This species is known from Gila and Cochise Counties, AZ. Threats include habitat modification and destruction caused by mining, cattle grazing, recreation, and road construction.

Timetable:

Action	Date	FR Cite
NPRM	04/01/98	63 FR 15813
NPRM Comment Period Reopened	07/29/98	63 FR 40389
NPRM Comment Period End	07/30/98	
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE89**1632. • MIGRATORY BIRD HARVEST INFORMATION PROGRAMS; PARTICIPATING STATES FOR THE 1998-1999 SEASON****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 711; 16 USC 712; 16 USC 742a to 752j**CFR Citation:** 50 CFR 20**Legal Deadline:** None

Abstract: The Service proposes to amend the Migratory Bird Harvest Information Program regulations. The Service plans to require all States except Hawaii to participate in the program annually, beginning with the 1998-99 hunting season. This regulatory action will continue to require all licensed hunters who hunt migratory game birds in participating States to register as migratory game bird hunters and provide their name, address and date of birth to the State licensing authority.

Timetable:

Action	Date	FR Cite
NPRM	05/19/98	63 FR 27548
NPRM Comment Period End	07/20/98	
Final Action	10/00/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Paul Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 Arlington Square, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1714
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Email: paul_schmidt@fws.gov

RIN: 1018-AE96**1633. • UPDATE OF ADDRESSES AND OFFICE OF MANAGEMENT AND BUDGET INFORMATION COLLECTION NUMBERS FOR FWS PERMIT APPLICATIONS****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 301; 16 USC 703 to 712; 16 USC 668(a) to 668(d); 16 USC 742a; 16 USC 742(j) to 742(l); 16 USC 1361 to 1384; 16 USC 1401 to 1407; 16 USC 1531 to 1543; 16 USC 3371 to 3378; 18 USC 42; 19 USC 1202**CFR Citation:** 50 CFR 10; 50 CFR 13; 50 CFR 14; 50 CFR 15; 50 CFR 17**Legal Deadline:** None

Abstract: The Service amends the regulations for wildlife and plant permits to update the addresses for submission of permit applications. Recently revised Office of Management and Budget Information Collection Numbers also are provided.

Timetable:

Action	Date	FR Cite
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF07

DEPARTMENT OF THE INTERIOR (DOI)

Long-Term Actions

United States Fish and Wildlife Service (FWS)

1634. CAPTIVE-BRED WILDLIFE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Fish and Wildlife Service regulates certain activities involving non-native endangered or threatened wildlife species that are born in captivity in the United States.

Currently, this is accomplished by requiring persons who wish to conduct otherwise prohibited activities with such wildlife to register with the Service to obtain a captive-bred wildlife or CBW registration. These regulations will be reviewed to determine if further action is necessary to relieve certain restrictions on the public that may have become burdensome, counterproductive, or outmoded.

Timetable:

Action	Date	FR Cite
ANPRM	01/07/92	57 FR 548
ANPRM Comment Period End	03/09/92	
NPRM	06/11/93	58 FR 32632
NPRM Comment Period End	09/09/93	
Interim Final Rule	12/27/93	58 FR 68323
Final Action	00/00/00	

DOI—FWS

Long-Term Actions

Captive-bred wildlife regulations, part 2
NPRM 12/27/93 (58 FR 68323)

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Additional Information: On June 11, 1993, the Service published a proposed rule that would revise the captive-bred wildlife regulations and the definitions of the terms "harass" and "enhance the propagation or survival." During the 90-day comment period, extensive comments on the proposal were received. The Service has decided to eliminate education as the sole basis for justifying issuance of a captive-bred wildlife registration, and a final rule to that effect was published on December 27, 1993 (58 FR 68323). The Service will split this action into three final rules and reopen the comment period on the balance of the issues in the proposals, including the question of the value of education as it relates to endangered species permits.

Agency Contact: Teiko Saito, Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 700 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: teiko_saito@fws.gov

RIN: 1018-AB10

1635. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory.
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological

information available to the Department.

Timetable:

Addax antelope

NPRM 11/05/91 (56 FR 56491)
Final Action 00/00/00

Dama gazelle

NPRM 11/05/91 (56 FR 56491)
Final Action 00/00/00

Ohio emerald dragonfly

Final Action 01/26/95 (60 FR 5267)

Oryx antelope

NPRM 11/05/91 (56 FR 56491)
NPRM Comment Period Reopened
06/08/92 (57 FR 24220)
Final Action 00/00/00

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AB66

1636. LIST OF MIGRATORY BIRDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 704; 16 USC 712

CFR Citation: 50 CFR 10.13

Legal Deadline: None

Abstract: The List of Migratory Birds found at 50 CFR 10.13 is being revised to (1) bring the list into conformity with generally accepted taxonomy and nomenclature—English (common) and scientific names, as reflected in four published supplements to the 6th (1983) edition of the American Ornithologists' Union Checklist of North American Birds; and (2) add species that are of regular occurrence in the United States that are not included on the current list.

Timetable:

Action	Date	FR Cite
NPRM	05/09/95	60 FR 24686
Final Action	00/00/00	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the

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Email: paul_schmidt@fws.gov
RIN: 1018-AB72

1637. EAGLE PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 668

CFR Citation: 50 CFR 22

Legal Deadline: None

Abstract: Presently, the taking, possession, and transportation of bald or golden eagles, or their parts, nests, or eggs for the religious use of Native Americans is a permitted activity. The Service proposes to revise 50 CFR 22.22 to provide an import or export mechanism for eagle feathers legally possessed by Native Americans.

Timetable:

Action	Date	FR Cite
NPRM	06/16/94	59 FR 30892
NPRM Comment Period End	08/15/94	
Final Action	10/00/99	

Regulatory Flexibility Analysis
Required: Undetermined

Government Levels Affected:
Undetermined

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 500 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Fax: 703 358-1949
Email: kevin_adams@fws.gov
RIN: 1018-AB81

1638. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory.
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed which would list, reclassify,

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Long-Term Actions

or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

Timetable:**Appalachian elktoe**

NPRM 09/03/93 (58 FR 46940)
Final Action 11/23/94 (59 FR 60324)

Arroyo southwestern toad

NPRM 08/03/93 (58 FR 41378)
NPRM Comment Period Reopened
09/09/93 (58 FR 47428)
Final Action 12/16/94 (59 FR 64859)

Dugong

NPRM 08/05/93 (58 FR 41688)
Withdrawn 08/26/96

Louisiana black bear, critical habitat

NPRM 12/03/93 (58 FR 63560)
NPRM Comment Period Reopened
03/07/94 (59 FR 10607)
Final Action 00/00/00

McFarlane's four-o'clock

NPRM 08/26/93 (58 FR 45085)
Final Action 03/15/96 (61 FR 10693)

Pahrump poolfish

Final Action 08/05/93 (58 FR 41688)
NPRM 09/22/93 (58 FR 49279)

Southwestern willow flycatcher, critical habitat

Final Action 07/22/97 (62 FR 39129)

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AB97

1639. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: SAN XAVIER TALUSSNAIL

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate, the San Xavier talussnail under the Endangered Species Act. Where prudent, critical habitat will be identified for the endangered or threatened species. Such actions are taken only upon determination that the species is endangered, threatened, or neither, and are based solely on the biological information available to the Department.

Timetable:

Action	Date	FR Cite
NPRM	03/23/94	59 FR 13691
NPRM Comment Period End	05/23/94	
NPRM Comment Period Reopened	05/22/98	63 FR 28343
NPRM Comment Period Reopened	06/23/98	63 FR 34142
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AC13

1640. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; RECLASSIFICATION OF THE LOCH LOMOND COYOTE THISTLE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed which will list, reclassify, or delist, as appropriate, the Loch Lomond coyote thistle under the Endangered Species Act. Where prudent, critical habitat will be identified for the species. Such actions are taken upon determination that the species is endangered, threatened, or neither, and are based solely on the biological

information available to the Department.

Timetable:

Action	Date	FR Cite
NPRM	11/29/93	58 FR 62629
NPRM Comment Period End	01/28/94	
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AC14

1641. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PARISH'S ALKALI GRASS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed that will list, reclassify, or delist, as appropriate, Parish's alkali grass, under the Endangered Species Act. Where prudent, critical habitat will be identified for the species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

Timetable:

Action	Date	FR Cite
NPRM	03/28/94	59 FR 14378
NPRM Comment Period End	05/27/94	
NPRM Comment Period Reopened	08/30/94	59 FR 44700
NPRM Comment Period Reopened	07/20/98	63 FR 38803
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

DOI—FWS

Long-Term Actions

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AC21

1642. ENDANGERED AND THREATENED SPECIES: SACRAMENTO SPLITTAIL

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory.
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed that will list, reclassify, or delist, as appropriate, the Sacramento splittail under the Endangered Species Act. Where prudent, critical habitat will be identified for the species. Such actions are taken upon determination that species are endangered, threatened, or neither, and are based solely on the biological information available to the Department.

Timetable:

Action	Date	FR Cite
NPRM	01/06/94	59 FR 862
NPRM Comment Period Reopened	05/18/98	63 FR 27255
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AC26

1643. EXPORT OF AMERICAN GINSENG HARVESTED IN 1994-1996

Priority: Routine and Frequent

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23

Legal Deadline: NPRM, Statutory.

Abstract: This proposed rule will announce findings on the export of American ginseng from the 1994-96 harvest season in 21 States. The Service reviews information and data as a basis for determining whether to continue approval of export from specified States for this harvest season, or to initiate changes. Also, North Dakota has applied to export cultivated ginseng under a State program, and Michigan has submitted draft legislation and is intending to apply soon to export ginseng. Acceptance of information provided by State ginseng management programs allows the Service to expedite the issuance of permits as required by the CITES treaty.

Timetable:

Action	Date	FR Cite
NPRM	09/26/94	59 FR 49046
NPRM Comment Period End	10/26/94	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Marshall Jones, Assistant Director, International Affairs, Department of the Interior, United States Fish and Wildlife Service, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AC55

1644. GENERAL PROVISIONS AND GENERAL PERMIT PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 10; 50 CFR 13; 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to amend 50 CFR part 13 which provides uniform permit procedures relating to the application, issuance, renewal, suspension, revocation, and general

administration of Service permits. The Service's criteria for suspension and revocation of permits and its review procedures will also be revised. Permit fee rates are amended to increase rates for the cost of processing certain permits. This change is necessary in order to recover a larger percentage of the cost of processing the permits. Several new permit fee exemptions will be added.

Timetable:

Action	Date	FR Cite
NPRM	09/05/95	60 FR 46087
NPRM Comment Period Reopened	11/15/95	60 FR 57386
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 500 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1949
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RIN: 1018-AC57

1645. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: ARKANSAS RIVER SHINER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory.
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed that will determine the appropriate status for the Arkansas River population of the Arkansas River shiner. This small minnow is endemic to the Arkansas River drainage in Arkansas, Kansas, New Mexico, Oklahoma, and Texas, but is presently almost entirely restricted to the Canadian/South Canadian River in Oklahoma, Texas, and New Mexico.

Timetable:

Action	Date	FR Cite
NPRM	08/03/94	59 FR 39532

DOI—FWS

Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	10/03/94	
NPRM Comment Period Reopened	12/05/97	62 FR 64337
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
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RIN: 1018-AC62

1646. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TROPICAL BIRDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed that will determine the appropriate status for up to 38 species of tropical birds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 750 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1708
Fax: 703 358-2276
Email: susan_lieberman@fws.gov

RIN: 1018-AC77

1647. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR SOUTHWESTERN CALIFORNIA PLANTS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed to determine the appropriate status for four plants found in southwestern California and northwestern Baja California, Mexico. These species are: Munz's onion, San Jacinto Valley crownscale, Thread-leaved brodiaea, and Spreading navaretia. These four plants occur in vernal pools and other wetlands or on clay soils and moist grasslands throughout their range. Critical habitat will be proposed only for the San Jacinto Valley crownscale, at this time.

Timetable:

Action	Date	FR Cite
NPRM	12/15/94	59 FR 64794
NPRM Comment Period End	02/13/95	
NPRM Comment Period Reopened	03/07/95	60 FR 12531
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AC88

1648. SEIZURE AND FORFEITURE PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 16 USC 4222 to 4241; 16 USC 4901 to 4916; 18 USC 42

CFR Citation: 50 CFR 12

Legal Deadline: None

Abstract: The Service proposes to amend regulations in 50 CFR part 12 that establish procedures relating to property seized or subject to administrative forfeiture under various laws enforced by the Service. This revision is intended to provide uniform guidance for the bonded release, appraisal, administrative proceeding, petition for remission, and disposal of items subject to forfeiture. Also these revisions are intended to provide for greater consistency of Service seizure and forfeiture procedures with those of the U.S. Customs Service.

Timetable:

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58468
Interim Final Rule	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 500 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1949
Fax: 703 358-1947
Email: kevin_adams@fws.gov

RIN: 1018-AC89

1649. CRITICAL HABITAT DESIGNATION FOR THE LOST RIVER AND SHORNOSE SUCKERS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed that will identify critical habitat for the Lost River and Shortnose suckers, two species federally listed as endangered. Both species are endemic to the Upper Klamath River Basin of Oregon and California.

DOI—FWS

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	12/01/94	59 FR 61744
NPRM Comment Period End	01/30/95	
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: laverne__smith@fws.gov

RIN: 1018-AC90

1650. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: LEAST CHUB

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend that rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed that will determine the appropriate status for the Least chub under the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	09/29/95	60 FR 50518
NPRM Comment Period End	11/28/95	
NPRM Comment Period Reopened	06/07/96	61 FR 29047
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AC91

1651. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: TEN PLANTS FROM THE CALIFORNIA SIERRA NEVADA MOUNTAINS FOOTHILLS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed that will determine appropriate status for 10 plants: Chinese Camp brodiaea, Piute Mountains navaretia, Carpenteria, Springville clarkia, Kelso Creek monkeyflower, Red Hills vervain, Rawhide Hill onion, Mariposa lupine, Mariposa pussypaws, and Greenhorn adobe lily, under the Endangered Species Act. Critical habitat is not being proposed at this time.

Timetable:

Action	Date	FR Cite
NPRM	10/04/94	59 FR 50540
NPRM Comment Period End	12/05/94	
NPRM Comment Period Reopened	12/29/94	59 FR 67268
NPRM Comment Period Reopened	02/14/95	60 FR 8342
NPRM Comment Period Reopened	02/04/97	62 FR 5199
NPRM Comment Period Reopened	06/30/97	62 FR 35116
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: laverne__smith@fws.gov

RIN: 1018-AC99

1652. REVISION OF MIGRATORY BIRD HUNTING REGULATIONS, 50 CFR PART 20

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 16 USC 703 to 711; 16 USC 712; 16 USC 742a to 742d; 16 USC 742e to 742j

CFR Citation: 50 CFR 20

Legal Deadline: None

Abstract: The Service proposes to revise and update regulations governing migratory bird hunting. Changes will be proposed that will clarify and include all the specific prohibitions in part 20 to apply to migratory game hunting during closed and open hunting seasons.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 500 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1949
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Email: kevin__adams@fws.gov

RIN: 1018-AD01

1653. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CRITICAL HABITAT DESIGNATION FOR THE WESTERN SNOWY PLOVER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Judicial, June 1, 1995.

Abstract: The Service proposes to designate critical habitat for the Pacific coast population of the Western snowy plover. The plover was listed as a threatened species on March 5, 1993.

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Critical habitat for the plover is proposed in coastal areas of Washington, Oregon, and California.

Timetable:

Action	Date	FR Cite
NPRM	03/02/95	60 FR 11768
NPRM Comment Period Reopened	05/15/95	60 FR 25882
Next Action	Undetermined	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
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RIN: 1018-AD10

1654. MARINE MAMMAL PROTECTION ACT; UNINTENTIONAL TAKE OF MARINE MAMMALS BY HARASSMENT ONLY IN ACTIVITIES OTHER THAN COMMERCIAL FISHING

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: The Marine Mammal Protection Act, as amended in April 1994, authorizes the Secretary to allow U.S. citizens to incidentally, unintentionally take small numbers of marine mammals by harassment only for periods up to 1 year during specified activities other than commercial fishing. This regulatory action would implement this statutory provision.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: Undetermined

Agency Contact: Hannibal Bolton, Chief, Division of Fish and Wildlife, Management Assistance, Department of the Interior, United States Fish and Wildlife Service, 840 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1718

Fax: 703 358-2044
Email: hannibal__bolton@fws.gov
RIN: 1018-AD18

1655. MARINE MAMMAL PROTECTION ACT; MEASURES TO SAFELY DETER MARINE MAMMALS, INCLUDING THREATENED AND ENDANGERED MARINE MAMMALS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: The Marine Mammal Act as amended in April 1994, requires the Service to develop a list of guidelines to safely deter marine mammals for which the Service has statutory management responsibility, including threatened and endangered species. Such measures of deterrence are for use in protecting: (1) fishing gear or catch; (2) private property; (3) personal human safety; or (4) public property. This regulatory action would implement these statutory provisions.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: Undetermined

Agency Contact: Hannibal Bolton, Chief, Division of Fish and Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, 840 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Fax: 703 358-2044
Email: hannibal__bolton@fws.gov

RIN: 1018-AD19

1656. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; SPECIAL RULE FOR THE NORTHERN SPOTTED OWL

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service will propose a section 4(d) rule for the northern spotted owl under the Endangered

Species Act that will define the conditions under which incidental take of the species through habitat modification would not be a violation of section 9 of the Act. An environmental impact statement is also being prepared, and will be available for review concurrent with the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	02/17/95	60 FR 9484
NPRM Comment Period End	05/18/95	
NPRM Comment Period Reopened	05/18/95	60 FR 26712
NPRM Comment Period Reopened	07/17/95	60 FR 36382
NPRM Comment Period Reopened	09/25/95	60 FR 49358
NPRM Comment Period Reopened	11/27/95	60 FR 58323
NPRM Comment Period Reopened	01/31/96	61 FR 3369
NPRM Comment Period Reopened	02/23/96	61 FR 6964
NPRM Comment Period Reopened	04/08/96	61 FR 15452
NPRM Comment Period Reopened	05/10/96	61 FR 21426
NPRM Comment Period Reopened	06/17/96	61 FR 30588
Final Action	00/00/00	

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: Undetermined

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Fax: 703 358-2324
Email: laverne__smith@fws.gov

RIN: 1018-AD20

1657. TAXONOMIC CHANGE FROM SUBSPECIES TO VERTEBRATE POPULATION SEGMENT FOR THE VIRGIN RIVER CHUB

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: Recent taxonomic work concluded that specific rank is warranted for the Virgin River chub, a federally listed endangered species

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found in the Virgin River system of Arizona, Nevada, and Utah. Additionally, researchers concluded that the chub in the Muddy River of Nevada is conspecific with the Virgin River chub. Previously this distinctive population of the Virgin River chub, a category 2 candidate for Federal listing, was considered a separate, unnamed subspecies of roundtail chub, and was referred to as the Moapa roundtail chub. Because of this recent taxonomic work, the Service accepts that specific rank is warranted for the Virgin River chub and proposes to change the listing of the Virgin River chub in the Virgin River from a subspecies to a vertebrate population segment in the List of Endangered and Threatened Wildlife. In addition, the Service initiates a status review of the Virgin River chub in the Muddy River to determine whether this vertebrate population warrants listing as a threatened or endangered species.

Timetable:

Action	Date	FR Cite
NPRM	07/24/95	60 FR 37866
NPRM Comment Period End	09/22/95	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Local

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
Fax: 703 358-2324
Email: laverne_smith@fws.gov

RIN: 1018-AD22

1658. CRITICAL HABITAT PROPOSAL FOR VIRGIN RIVER FISHES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service proposes to designate critical habitat for the Virgin River Chub, the Woundfin, and Virgin

spinedace. The Virgin River chub and Woundfin are listed as endangered; the Virgin spinedace has been proposed for listing as threatened (May 18, 1994), but the listing has not been finalized as yet.

Timetable:

Action	Date	FR Cite
NPRM	04/05/95	60 FR 17296
NPRM Comment Period End	06/05/95	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State

Additional Information: This rulemaking was inadvertently published as RIN 1018-AD22. The final rule will be published with the correct RIN 1018-AD23. The rulemaking action(s) listed under this RIN has (have) been temporarily suspended due to legislative restriction on publication of final listing and critical habitat determinations.

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
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Email: laverne_smith@fws.gov

RIN: 1018-AD23

1659. SEVEN PLANTS FROM THE MOUNTAINS OF SOUTHERN CALIFORNIA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service will develop regulations that will determine the appropriate status for seven plants from the mountains of southern California: San Bernardino bluegrass, California dandelion, Johnson's rock-cress, Bear Valley sandwort, Ash-grey Indian paintbrush, Southern mountain wild buckwheat, and Hidden Lake bluecurls.

Timetable:

Action	Date	FR Cite
NPRM	08/02/95	60 FR 39337
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: laverne_smith@fws.gov

RIN: 1018-AD34

1660. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR SOUTHWESTERN CALIFORNIA PLANTS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: Regulations will be developed that will determine the appropriate status for four California plants: San Diego thornmint, Laguna Beach liveforever, Otay tarweed, and Willoway monardella. These species are found in San Diego County and northern Baja, California. Critical habitat is not being proposed at this time.

Timetable:

Action	Date	FR Cite
NPRM	08/09/95	60 FR 40549
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AD38

DOI—FWS

Long-Term Actions

1661. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: FOUR PLANTS FROM INTERIOR CHAPARRAL OF SOUTHWESTERN CALIFORNIA AND NORTHWESTERN BAJA CALIFORNIA, MEXICO**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531**CFR Citation:** 50 CFR 17**Legal Deadline:** Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.**Abstract:** Regulations will be developed that will determine the appropriate status for four plants: Nevin's barberry, Mexican flannelbush, Vail Lake ceanothus, and Dehesa beargrass. These perennial shrubs and plants are found in chaparral habitat west of the Peninsular Ranges in southwestern California and northwestern Baja California, Mexico. Critical habitat is not being proposed at this time.**Timetable:**

Action	Date	FR Cite
NPRM	10/02/95	60 FR 51445
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State**Agency Contact:** E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
Fax: 703 358-2324
Email: laverne_smith@fws.gov**RIN:** 1018-AD60**1662. EXPORT OF APPENDIX I SPECIMENS THAT WERE BRED FOR COMMERCIAL PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None**Abstract:** The regulations need to be updated to clarify the process of obtaining export permits for appendix I specimens that are bred for

commercial purposes, including the procedure for becoming registered with the Convention on International Trade in Endangered Species (CITES) Secretariat.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** Margaret Tieger, Chief, Branch of Permits, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 420 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2104
Fax: 703 358-2280
Email: margaret_tieger@fws.gov**RIN:** 1018-AD64**1663. CONSOLIDATION OF LISTS OF WILDLIFE OF FEDERAL CONCERN****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 16 USC 1531 et seq; 16 USC 703; 16 USC 1361; 16 USC 4901; 18 USC 42; 16 USC 3371**CFR Citation:** 50 CFR 10**Legal Deadline:** None**Abstract:** The Service proposes to consolidate into part 10 lists of plants and wildlife currently contained in various parts of subchapter B (parts 14, 15, 16, 17, 18, and 23).**Timetable:**

Action	Date	FR Cite
ANPRM	03/19/96	61 FR 11180
ANPRM Comment	05/03/96	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Marshall Jones, Assistant Director, International Affairs, Department of the Interior, United States Fish and Wildlife Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-6393

Email: marshall_jones@fws.gov

RIN: 1018-AD66**1664. RECLASSIFICATION OF YACARE CAIMAN FROM ENDANGERED TO THREATENED WITH SPECIAL RULE****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service will develop regulations to declassify populations of the Yacare caiman in South America. Also included in this rulemaking is a special rule to allow commercial trade in skins, other parts, and products of Yacare caimans from South America. The combination of actions proposed will have the effect of stimulated legal and responsible trade in Yacare caiman hides and, in this respect, constitutes removal of a barrier to trade.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal**Agency Contact:** Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 750 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1708
Fax: 703 358-2276
Email: susan_lieberman@fws.gov**RIN:** 1018-AD67**1665. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 3101 to 3126**CFR Citation:** 36 CFR 242; 50 CFR 100**Legal Deadline:** None**Abstract:** Identification of waters included within ANILCA definition of public lands and amendment of Federal Subsistence Board's authority.**Timetable:**

Action	Date	FR Cite
ANPRM	04/04/96	61 FR 15014

DOI—FWS

Long-Term Actions

Action	Date	FR Cite
ANPRM Comment Period End	06/14/96	
NPRM	12/17/97	62 FR 66216
NPRM Comment Period End	04/20/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Tom Boyd, Office of Subsistence Management, Department of the Interior, United States Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, AK 99503
 Phone: 907 786-3447
 Fax: 907 786-3898
 Email: tom_boyd@fws.gov

RIN: 1018-AD68

1666. MIGRATORY BIRD HUNTING: REGULATIONS REGARDING PROHIBITION AGAINST ARTIFICIALLY ALTERING/MANIPULATING NATURAL VEGETATION IN MOIST AREAS TO ATTRACT WATERFOWL

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 703 et seq; 16 USC 712; 16 USC 742**CFR Citation:** 50 CFR 20**Legal Deadline:** None

Abstract: This action notifies the public and invites comments regarding promulgation of a separate rulemaking that will govern the manner in which or if at all natural vegetation in moist soil areas may be altered or manipulated artificially to attract waterfowl for hunting purposes. Previously, the subject regulations had been part of the ongoing review of 50 CFR 20 but now will be considered separately.

Timetable:

Action	Date	FR Cite
ANPRM	03/22/96	61 FR 11805
ANPRM Comment Period End	06/20/96	
NPRM	03/25/98	63 FR 14415
NPRM Comment Period Reopened	05/22/98	63 FR 28343
Final Action	00/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United

States Fish and Wildlife Service, 520 ARLSQ, 1849 C Street NW., Washington, DC 20240
 Phone: 703 358-1949
 Fax: 703 358-1947
 Email: kevin_adams@fws.gov
RIN: 1018-AD74

1667. FEDERAL AID IN SPORT FISH RESTORATION PROGRAM FOR PARTICIPATION FOR DISTRICT OF COLUMBIA AND INSULAR TERRITORIES AND COMMONWEALTHS

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 669i; 16 USC 777i**CFR Citation:** 50 CFR 80**Legal Deadline:** None

Abstract: The Service is proposing to define new standards for the District of Columbia and Insular Territories and Commonwealths for participation in the Federal Aid in Sport Fish Restoration program by waiving the 10 percent cap on use of these funds for education.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Bob Lang, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, 140 ARLSQ, 1849 C Street NW., Washington, DC 20240
 Phone: 703 358-2156
 Fax: 703 358-1837
 Email: bob_lang@fws.gov

RIN: 1018-AD83

1668. CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES (CITES)

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

Abstract: This will be a revision to an existing rule that will incorporate decisions/interpretations made at the last six Conferences of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 1018-AD87

1669. ENDANGERED AND THREATENED SPECIES: REMOVAL OF LLOYD'S HEDGEHOG CACTUS FROM FEDERAL LIST OF ENDANGERED AND THREATENED PLANTS

Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to remove Lloyd's hedgehog cactus from the Federal list of endangered and threatened plants. Lloyd's hedgehog cactus was listed as endangered on October 26, 1979, due to threats of collection and highway projects. Recent evidence indicates that Lloyd's hedgehog cactus is not a distinct species but rather a hybrid. Lloyd's hedgehog cactus is presently known from four counties in west Texas and one county in New Mexico and from Chihuahua, Mexico.

Timetable:

Action	Date	FR Cite
NPRM	06/14/96	61 FR 30209
NPRM Comment Period End	08/13/96	
Final Action	00/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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DOI—FWS

Long-Term Actions

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RIN: 1018-AD91

1670. RESCISSION OF ADMINISTRATIVE PROCEDURES FOR GRANTS IN AID (MARINE MAMMAL PROTECTION ACT OF 1972)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 16 USC 1361 to 1407

CFR Citation: 50 CFR 82

Legal Deadline: None

Abstract: The Service is rescinding 50 CFR 82, Administrative Procedures for Grants-in-Aid (Marine Mammal Protection Act of 1972). This regulation was determined unnecessary because funding has not been provided for many years and adequate instructions are contained in the Act and in existing regulations to disseminate funds if they become available in the future. This action is part of the regulatory reinvention effort.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Bob Lang, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, 140 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AD92

1671. SAFE HARBOR POLICY AND GUIDANCE FOR CANDIDATE AGREEMENTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 13; 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes technical amendments to its general regulations implementing its permitting

program. The proposed revisions would explain and clarify applicable general permit conditions to the permitting procedures associated with habitat conservation plans and safe harbor agreements issued under section 10 of the Endangered Species Act of 1973. The Service also announces a safe harbor policy under the Act, providing incentives for private and other non-Federal landowners to restore, enhance, or maintain habitat for endangered and threatened species. The Service, in cooperation with the appropriate State agencies, may enter into safe harbor agreements with non-Federal landowners to enhance the survival of listed species with the concurrence of the landowner, include proposed or candidate species in such agreements. A procedure and guidance for providing assurances to non-Federal landowners involved in candidate conservation also is proposed.

Timetable:

Action	Date	FR Cite
NPRM	06/12/97	62 FR 32189
NPRM Comment Period End	08/11/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AD95

1672. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ESTABLISHMENT OF A NONESSENTIAL EXPERIMENTAL POPULATION OF BLACK-FOOTED FERRETS IN NORTHWESTERN COLORADO AND NORTHEASTERN UT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service, in conjunction with the Bureau of Land Management,

the Colorado Division of Wildlife, and the Utah Division of Wildlife Resources, proposes to introduce black-footed ferrets into northwestern Colorado/northeastern Utah. The northwestern Colorado/northeastern Utah experimental population area is proposed to be designated a nonessential experimental population in accordance with section 10(j) of the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	04/29/97	62 FR 23202
NPRM Comment Period End	06/30/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local, Tribal, Federal

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AD99

1673. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED REINTRODUCTION OF A NONESSENTIAL EXPERIMENTAL POPULATION OF GRIZZLY BEARS IN IDAHO AND MONTANA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to establish a nonessential experimental population of grizzly bears into the Bitterroot ecosystem in central Idaho and western Montana. This experimental population is proposed to be designated a nonessential experimental population in accordance with section 10(j) of the Act.

Timetable:

Action	Date	FR Cite
NPRM	07/02/97	62 FR 35762
NPRM Comment Period End	10/09/97	

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Action	Date	FR Cite
NPRM Comment Period Reopened	10/28/97	62 FR 55774
Final Action	00/00/00	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** State,
Local, Tribal

Agency Contact: E. LaVerne Smith,
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RIN: 1018-AE00
**1674. ENDANGERED AND
THREATENED WILDLIFE AND
PLANTS; PROPOSED
ESTABLISHMENT OF NONESSENTIAL
EXPERIMENTAL POPULATION OF
TEN FRESHWATER MUSSELS IN
HOLSTON RIVER SYSTEM IN TN AND
VA**
Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service plans to reintroduce ten mussels (Appalachian monkeyface pearlymussel, cracking pearlymussel, Cumberland monkeyface pearlymussel, dromedary pearlymussel, fanshell, orange-foot, pimpleback pearlymussel, ring pink mussel, rough pigtoe, and tan riffleshell) into historic habitat in the next 2 to 3 years. The mussels to be used in the reintroduction will include artificially propagated juveniles and adults taken from the wild, under certain circumstances. Mussel propagation technology currently is being developed using nonendangered surrogate species. The 4(d) rule will exempt unavoidable and unintentional take, such as fishing, boating, trapping, or wading.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith,
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RIN: 1018-AE01
**1675. REVISION TO SUBCHAPTER C—
THE NATIONAL WILDLIFE REFUGE
SYSTEM**
Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 16 USC 460k

CFR Citation: 50 CFR 25; 50 CFR 26;
50 CFR 27; 50 CFR 28; 50 CFR 29; 50
CFR 30; 50 CFR 31; 50 CFR 32; 50 CFR
34; 50 CFR 35; 50 CFR 36; 50 CFR 37

Legal Deadline: None

Abstract: The Service plans to rewrite subchapter C to include new public recreation policy on National Wildlife Refuges to include opening refuges to all public recreation (hunting, fishing, wildlife observation, photography, boating, hiking, camping, and picnicking) at the time of purchase. This is an administrative action and will not involve compliance cost to the public.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

Agency Contact: Rick Coleman, Chief,
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RIN: 1018-AE02
**1676. PROPOSED APPROVAL OF
SELECTED STATE PROGRAMS
ALLOWING THE EXPORT OF
GINSENG HARVESTED IN 1997-1999**

Priority: Economically Significant.
Major under 5 USC 801.

Legal Authority: 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

Abstract: This rule will announce findings on the export of American ginseng from the 1997-1999 harvest season in 25 states. The Service reviews information and data as a basis for determining whether to continue approval of export from specific States for this harvest season or to initiate changes. The State of Oregon intends to apply soon to export ginseng. Acceptance of information provided by State ginseng management programs allows the Service to expedite the issuance of permits as required by the CITES treaty.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

**Regulatory Flexibility Analysis
Required:** Yes**Small Entities Affected:** Businesses,
Governmental Jurisdictions**Government Levels Affected:** State,
Federal

Agency Contact: Susan Lieberman,
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RIN: 1018-AE03
**1677. PROPOSED SPECIAL RULE
WITH THE RECLASSIFICATION OF
THE VICUNA FROM ENDANGERED TO
THREATENED**
Priority: Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: This special rule will be associated with the reclassification of vicuna from endangered to threatened under the Endangered Species Act. The rule will provide for the conservation

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of the species and will stipulate conditions that must be met to allow for the importation of commercial specimens of the species.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Federal

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750 Arlington Square, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE04

1678. IMPORTATION, EXPORTATION, TRANSPORTATION OF WILDLIFE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 to 1407

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: This rule would revise the Service regulations providing for user fee collections from commercial importers and exporters of wildlife and wildlife products. The Service proposes a licensing and fee scheme which will exempt certain commercial importers and exporters from our inspection fee, based upon specific criteria, including country of origin, numbers of items, and permitting requirements. We propose to modify our user fee regulations to grant relief to certain individuals and small businesses, meeting the outlined criteria, from the designated port inspection fee and nondesignated administrative fee and hourly minimums only. This proposal, if implemented, will allow us to continue to collect data on fee collections in order to analyze the impact of user fees on small businesses for future decision making.

Timetable:

Action	Date	FR Cite
NPRM	01/22/98	63 FR 3298
NPRM Comment Period End	03/23/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, MS500 Arlington Square, 1849 C Street NW., Washington, DC 20240
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Fax: 703 358-1947
Email: kevin_adams@fws.gov

RIN: 1018-AE08

1679. EXPORT OF AMERICAN ALLIGATOR FOR THE 1998-2000 HARVEST SEASONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23.57; 50 CFR 17.42(a)

Legal Deadline: None

Abstract: This rule will make minor changes in the tagging requirements for American alligator skins to conform with the CITES tagging resolution and announces proposed findings on the effects of the export of American alligator under CITES for the 1998-2000 harvest seasons. This rule provides for the export of American alligator parts and products under CITES.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Rosemarie Gnam, Chief, Branch of Operations, Department of the Interior, United States Fish and Wildlife Service, MS 700 Arlington Square, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE15

1680. ANNOUNCEMENT OF CITES ACTION CONCERNING CHANGES TO APPENDICES TO LISTED SPECIES; SERVICE ANNOUNCEMENT CONCERNING RESERVATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23

Legal Deadline: None

Abstract: The Service will announce decisions by the Conference of the Parties to CITES held in Harare, Zimbabwe, June 9-20, 1997, and request comments on possible reservations.

Timetable:

Action	Date	FR Cite
NPRM	08/22/97	62 FR 44627
NPRM Comment Period End	09/12/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Federal

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS 750 Arlington Square, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE16

1681. REVISIONS TO THE FEDERAL AID ADMINISTRATIVE REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 777i; 16 USC 669i; 18 USC 701

CFR Citation: 50 CFR 80

Legal Deadline: None

Abstract: The Service proposes to revise part 80 to clarify the language in the administrative requirements section and simplify some of the procedures to enable the States and the public to better understand the procedures and requirements for obtaining and administering grants under the Federal Aid in Fish and Federal Aid in Wildlife Restoration Acts.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Governmental Jurisdictions

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Government Levels Affected: State, Tribal

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RIN: 1018-AE17

1682. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PROPOSED ENDANGERED STATUS FOR BLACKBURN'S SPHINX MOTH FROM THE HAWAIIAN ISLANDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service is proposing to add the Blackburn's sphinx moth to the list of endangered and threatened wildlife. The single remaining population is found on the island of Maui in the Hawaiian Islands. It is the largest (in adult form) native insect with a wing span of 5 inches.

Timetable:

Action	Date	FR Cite
NPRM	04/02/97	62 FR 15640
NPRM Comment Period End	06/02/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, MS 452 Arlington Square, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE20

1683. REGULATIONS FOR ADMINISTRATIVE AND VISITOR FACILITY SITES ON NATIONAL WILDLIFE REFUGES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 16 USC 460k; 16 USC 668dd; 16 USC 742a; 16 USC 3101; 44 USC 3501

CFR Citation: 50 CFR 36

Legal Deadline: None

Abstract: The Service proposes this amendment to current regulations in order to provide the Service with the proper authority to enforce regulations concerning public safety, protection of government property, and applicable State of Alaska fish and wildlife regulations on administrative and visitor facility sites which commonly are located outside the approved boundaries of national wildlife refuges.

Timetable:

Action	Date	FR Cite
NPRM	06/27/97	62 FR 34681
NPRM Comment Period End	08/26/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Rick Coleman, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, 670 ARLSQ, 1849 C Streets NW., Washington, DC 20240
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Email: rick_coleman@fws.gov

RIN: 1018-AE21

1684. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PROPOSED STATUS FOR TEN PLANT TAXA FROM MAUI NUI, HAWAII

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service proposes endangered status pursuant to the Endangered Species Act of 1973 for 10

plant taxa without critical habitat designation. All 10 taxa are endemic to the Maui Nui group of islands in the Hawaiian Islands. This group includes Maui, Molokai, Lanai, and Kahoolawe and are found in a wide range of vegetative communities, elevation zones, and moisture regimes. The 10 plant taxa and their habitats have been variously affected or are currently threatened by one or more of the following: competition, predation or habitat degradation from alien species, natural disasters, and random environmental events.

Timetable:

Action	Date	FR Cite
NPRM	05/15/97	62 FR 26757
NPRM Comment Period End	07/14/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARL SQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE22

1685. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PROPOSED ENDANGERED STATUS FOR TWO LARKSPURS FROM COASTAL NORTHERN CALIFORNIA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service proposes endangered status pursuant to the Endangered Species Act of 1973 for two plants (Baker's larkspur and yellow larkspur). These species grow in a variety of habitats including coastal prairie, coastal scrub or chaparral in Sonoma and Marin counties in northern California. Habitat loss and

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degradation, sheep grazing, road maintenance activities, and overcollection imperil the continued existence of these plants. Random events increase the risk of extinction to the extremely small plant populations.

Timetable:

Action	Date	FR Cite
NPRM	06/19/97	62 FR 33383
NPRM Comment Period End	08/18/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARL SQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE23

1686. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR IONE BUCKWHEAT AND THREATENED STATUS FOR IONE MANZANITA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service proposed endangered status for ione buckwheat (a perennial herb) and threatened status for ione manzanita (an evergreen shrub of the heath family). These two species occur primarily on gravelly clay soils with iron oxide crust within chaparral (derived from the iron formation) in Amador or Calaveras counties in the central Sierra Nevada foothills of California. They are imperiled by one or more of the following factors: mining, clearing of vegetation for agriculture and fire protection, disease, inadequate regulatory mechanisms, habitat fragmentation, residential and commercial development, changes in

fire frequency, and continued erosion due to prior off-road vehicle use. Random events increase the risk to the few, small populations of ione buckwheat. Ownership of most occurrences of these two species is private. One population of each occurs on Federal land managed by the Bureau of Land Management. Other potential Federal involvement includes the use of Federal highway funds, the permitting of lignite or coal mines through the Office of Surface Mining Reclamation and Enforcement, and the relicensing of hydro-electric projects by the Federal Energy Regulatory Commission.

Timetable:

Action	Date	FR Cite
NPRM	06/25/97	62 FR 34190
NPRM Comment Period End	08/25/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE25

1687. IMPORTATION OF POLAR BEAR TROPHIES FROM CANADA; ADDITION OF POPULATIONS TO THE LIST OF AREAS APPROVED FOR IMPORT

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: This rule announces proposed findings on the import of polar bears taken in sport hunts in the areas formerly known as Parry Channel-Baffin Bay and Queen Elizabeth Islands, Northwest Territories, Canada. These findings include polar bears taken but not imported prior to enactment of the 1994 amendments to the Marine Mammal Protection Act (MMPA). The Service summarizes the new research data used by Canada to redefine these areas into five populations: Queen Elizabeth Islands,

Norwegian Bay, Kane Basin, Lancaster Sound and Baffin Bay and provides a summary of the Nunavut Land Claim and the new flexible quota option. The Service proposes to find that Lancaster Sound and Norwegian Bay meet the requirements of the MMPA and to add them to the list of approved populations in the regulations. On the other hand, the Service proposes to defer the decision on the remaining three populations: Queen Elizabeth Islands, Baffin Bay and the Kane Basin. The Service intends to make these findings for multiple sport hunting seasons pending receipt of substantial new information or review as required under the MMPA.

Timetable:

Action	Date	FR Cite
NPRM	02/02/98	63 FR 5340
NPRM Comment Period End	03/04/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Maggie Tieger, Chief, Branch of Permits, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 420 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE26

1688. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED THREATENED STATUS FOR NEWCOMB'S SNAIL FROM THE HAWAIIAN ISLANDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service proposes threatened status pursuant to the Endangered Species Act of 1973, as amended, for Newcomb's snail. This freshwater snail is restricted to the Hawaiian Island of Kauai. The known

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historic distribution of this snail has greatly decreased and extant populations are presently limited to restricted habitats on five perennial streams on State land. The five known populations of this snail and its habitat are currently threatened by predation by a species of non-native predatory snail and two species of non-native marsh flies. These populations are also subject to an increased likelihood of extirpation from naturally occurring events, including natural disasters such as hurricanes and landslides. All populations of this species occur on State-owned lands.

Timetable:

Action	Date	FR Cite
NPRM	07/21/97	62 FR 38953
NPRM Comment Period End	09/19/97	
NPRM Comment Period Reopened	11/12/97	62 FR 60676
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE27

1689. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST KLAMATH RIVER POPULATION SEGMENT OF BULL TROUT AS ENDANGERED AND COLUMBIA RIVER POPULATION SEGMENT AS THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service proposes to list the Klamath River population segment of bull trout (members of the char subgroup in the salmon family) as

endangered from south-central Oregon and the Columbia River population segment of bull trout as threatened from the northwestern United States and British Columbia, Canada, with a special rule pursuant to the Endangered Species Act of 1973. The Klamath River population segment, comprised of seven bull trout populations from south-central Oregon, is threatened by habitat degradation, passage restrictions at dams, and competition from non-native lake and brook trout. The special rule allows for take of bull trout within the Columbia River population segment if in accordance with applicable State fish and wildlife conservation laws and regulations. Pursuant to a court order, this rule is based on the 1994 administrative record. All available information, including current data, will be considered prior to promulgation of a final rule.

Timetable:

Action	Date	FR Cite
NPRM	06/13/97	62 FR 32268
NPRM Comment Period Reopened	08/05/97	62 FR 42092
NPRM Comment Period End	08/12/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE29

1690. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR THE PLANT KECK'S SIDALCEA FROM TULARE COUNTY, CALIFORNIA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service proposes to list *Sidalcea keckii* (Keck's sidalcea) as endangered pursuant to the Endangered Species Act of 1973. This annual herb (belonging to the mallow family) is threatened by urban development, agricultural land conversion, and random events. The species (found on sparsely vegetated slopes of serpentine-derived clay in annual grasslands) is known only from one population in the south-central Tulare County on private land and is not in an approved habitat conservation plan. The likelihood of any Federal involvement is small, however, the Bureau of Reclamation's renewal of the Central Valley Project Friant water contracts may affect the species.

Timetable:

Action	Date	FR Cite
NPRM	07/28/97	62 FR 40325
NPRM Comment Period Reopened	09/24/97	62 FR 49954
NPRM Comment Period End	09/26/97	
NPRM Comment Period Reopened	01/22/98	63 FR 3301
NPRM Comment Period Reopened	08/29/98	63 FR 44417
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE30

1691. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RULE TO LIST THE ILLINOIS CAVE AMPHIPOD AS ENDANGERED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for 6 months) on a proposed listing no later than 1 year after such proposal.

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Abstract: The Service proposes endangered status pursuant to the Endangered Species Act of 1973 for the Illinois cave amphipod, *Gammarus acherondytes*. Historically, the amphipod was known from six cave streams in Monroe and St. Clair counties, Illinois. Recent surveys have found the species at only three of the original six sites. The species is believed to be threatened primarily by groundwater pollution which is likely due to the application of pesticides in cave stream recharge areas. A possible secondary threat is contamination of subsurface water by human and animal wastes from sewage and septic systems and livestock feedlots. The Monroe-Randolph Bi-County Health Department supports listing this species as a means of justifying greater protection for groundwater in the Karst area. Also the Natural Heritage Division of the Illinois Department of Conservation supports Federal listing of this species. It is currently a State-listed endangered species.

Timetable:

Action	Date	FR Cite
NPRM	07/28/97	62 FR 40319
NPRM Comment Period End	09/26/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE31

1692. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR PLANT IN WENATCHEE MOUNTAINS OF WASHINGTON

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: Final, Statutory.
In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for

6 months) on a proposed listing no later than 1 year after such proposal.

Abstract: The Service proposes endangered species status pursuant to the Endangered Species Act of 1973 for the Wenatchee Mountains checker-mallow (*Sidalcea oregana* var *calva*). This plant is endemic to meadows that have surface water on saturated soil in the spring and early summer at middle elevations in the Wenatchee Mountains of Chelan county, Washington. Although five populations of this plant are known, three of these have very few individuals. The estimated total number of plants is about 3,300. The primary threats to this plant include alterations of hydrology, rural residential development and associated activities, competition from native and alien plants, recreation, fire suppression and activities associated with fire suppression. To a lesser extent, the taxon is threatened by livestock grazing, road construction and timber harvesting and associated impacts including changes in surface-runoff in the small watersheds in which the plant occurs. This proposal, if made final, would implement the Federal protection and recovery programs of the Act for this plant.

Timetable:

Action	Date	FR Cite
NPRM	08/01/97	62 FR 41328
NPRM Comment Period End	09/30/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE32

1693. EXPORTATION OF MARINE MAMMAL PRODUCTS FOR CULTURAL EXCHANGE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1361 et seq

CFR Citation: 50 CFR 18

Legal Deadline: None

Abstract: This regulatory action concerns a modification to export marine mammal products and to Native exemption provisions in the Marine Mammal Protection Act. The action will be made to allow for cultural exchange of marine mammal products between Natives of Alaska, Greenland, Russia and Canada.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal

Agency Contact: Kevin Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 520 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE33

1694. INJURIOUS WILDLIFE; ADDITION OF BRUSH-TAILED POSSUM

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None

Abstract: The Service proposes to review the economic and biological information on the brush-tailed possum of genus *Trichosurus* for possible addition to the list of injurious wildlife under the Lacey Act.

Timetable:

Action	Date	FR Cite
ANPRM	01/24/96	61 FR 1893
ANPRM Comment Period End	03/25/96	
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Hannibal Bolton, Chief, Fish and Wildlife Management, Assistance, Department of the Interior, United States Fish and Wildlife Service, 840 ARLSQ, 1849 C Street NW., Washington, DC 20240
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DOI—FWS

Long-Term Actions

Email: hannibal_bolton@fws.gov

RIN: 1018-AE34

1695. MIGRATORY BIRD HUNTING; EXTENSION OF TEMPORARY APPROVAL OF TUNGSTEN-IRON SHOT AS NONTOXIC FOR THE 1998-99 SEASON**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 703 to 711; 16 USC 712; 16 USC 742a to 742j**CFR Citation:** 50 CFR 20**Legal Deadline:** None

Abstract: The Service is proposing to amend section 20.21(j) to grant temporary approval of tungsten-iron shot as nontoxic for the 1998-99 migratory bird hunting season, except in the Yukon-Kuskokwim (Y-K) Delta, Alaska. The Service has previously granted temporary approval of tungsten-iron shot as nontoxic for the 1997-98 season. The toxicological report, which is an extensive literature search and analysis of tungsten and tungsten-iron, suggests that these compounds are nontoxic under assumed use and in the environment. Analysis of the toxicity study reveals no adverse effects over a 30-day period when dosing mallards with 8 bb-size tungsten-iron shot. However, there is some concern that the absorption of tungsten into the femur, kidney, and liver could potentially affect the spectacled eider, a species already subject to adverse weather, predation, and lead poisoning on the Y-K Delta. Until a reproductive/chronic toxicity test has been completed and the Service has reviewed the results, tungsten-iron shot will not be approved for the Y-K Delta.

Timetable:

Action	Date	FR Cite
NPRM	07/27/98	63 FR 40777
NPRM Comment Period End	08/26/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Paul R. Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1838

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Email: paul_schmidt@fws.gov

RIN: 1018-AE35

1696. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST 3 AQUATIC SNAILS AS ENDANGERED; 3 AQUATIC SNAILS AS THREATENED IN MOBILE RIVER BASIN, ALABAMA**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to list cylindrical lioplax, flat pebblesnail and plicate rocksnail as endangered; painted rocksnail, round rocksnail and lacy elimia as threatened species under the Endangered Species Act of 1973, as amended. These aquatic snails are found in localized portions of the Black Warrior, Cahaba, Alabama and Coosa Rivers or their tributaries in Alabama. Impoundment and water quality degradation have eliminated the 6 snails from 90 percent or more of their historic habitat. Surviving populations are currently threatened by pollutants such as sediments and nutrients that wash into streams from the land surface.

Timetable:

Action	Date	FR Cite
NPRM	10/17/97	62 FR 54020
NPRM Comment Period End	12/16/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 4401 N. Fairfax Drive, Arlington, VA 22203
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RIN: 1018-AE36

1697. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; THREATENED STATUS FOR VIRGINIA SNEEZEWEED; A PLANT FROM THE SHENANDOAH VALLEY OF VIRGINIA**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to list Virginia Sneezeweed (*Helenium Virginicum*) as a threatened species, under the authority of the Endangered Species Act of 1973, as amended. This rare plant is restricted to seasonally inundated sinkhole ponds and meadows in Augusta and Rockingham Counties, Virginia. Five of the 25 known extant populations are on U.S. Forest Service land, the others are on private land. This perennial plant is threatened by residential development, incompatible agricultural practices, filling and ditching of its wetland habitat and other disruptions of its habitat and the hydrology that maintains it. At several sites, ditches have been constructed to reduce the length of time that standing water is present. This has caused the species at one of the sites to be reduced to near extinction. Virginia Sneezeweed is presently listed as endangered by the State of Virginia.

Timetable:

Action	Date	FR Cite
NPRM	09/29/97	62 FR 50896
NPRM Comment Period End	11/28/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE37

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1698. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR TWO CAVE ANIMALS FROM HAWAIIAN ISLANDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes endangered status pursuant to the Endangered Species Act of 1973 for two animals, the Kauai Cave Wolf Spider and the Kauai Cave Amphipod. These two species are found on the Hawaiian Island of Kauai. The Kauai Cave Wolf Spider is known from two populations and the Kauai Cave Amphipod is known from four populations. These animals and their habitats have been variously affected or are currently threatened by the following: habitat degradation/loss from development; competition for space, water, and nutrients by naturalized introduced animals; biological/chemical pesticide use; and an increased likelihood of extinction from proposed development activities and naturally occurring events. This proposal, if made final, would extend Federal protection and recovery provisions of the Act for these animal taxa. Additionally, Hawaii State regulations protecting these animals would be triggered. All populations of these species occur on privately owned lands.

Timetable:

Action	Date	FR Cite
NPRM	12/05/97	62 FR 64340
NPRM Comment Period End	02/03/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE39**1699. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR TWO SAN JOAQUIN VALLEY MAMMALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to list the Riparian Brush Rabbit and Woodrat pursuant to the Endangered Species Act of 1973. The Brush Rabbit and Woodrat inhabit riparian communities along the lower portions of the San Joaquin and Stanislaus Rivers (within Caswell State Park) in the Northern San Joaquin Valley, California. Only a single remaining population of each species has been confirmed. Potential threats to these species include flooding, wildlife, predation, and other factors.

Timetable:

Action	Date	FR Cite
NPRM	11/21/97	62 FR 62276
NPRM Comment Period End	01/20/98	
NPRM Comment Period Reopened	04/13/98	63 FR 17981
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE40

1700. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST ST. ANDREW BEACH MOUSE AS ENDANGERED**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes endangered status for the St. Andrews beach mouse pursuant to the Endangered Species Act of 1973, as

amended. This subspecies is restricted to coastal sand dunes and had an historic distribution that included the northeast FL panhandle from Gulf County into portions of Bay County. Its current range is limited to a portion of the St. Joseph Peninsula in Gulf County within St. Joseph Peninsula and William J. Rish State Parks and some private lands. Habitat impacts causing loss of mice and the species' local capability to recover from such impacts are primarily responsible for the range curtailment. Threats to beach mouse habitat include severe storms, coastal land development and its associated activities, and non-storm related natural shoreline erosion. Additional threats include predation by free-ranging domestic cats and displacement by house mice. This species is State-listed as endangered.

Timetable:

Action	Date	FR Cite
NPRM	10/17/97	62 FR 54028
NPRM Comment Period End	12/16/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE41**1701. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST TOPEKA SHINER AS ENDANGERED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to list the Topeka shiner as an endangered species under the authority of the Endangered Species Act of 1973, as amended. The Topeka shiner is a small fish, presently known from small tributary streams in the Kansas and Neosho River Basins in Kansas; the Missouri, Grand, Loamine, Chariton,

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and Des Moines River Basins in Missouri; the North Racoon River Basin in Iowa; the James and Vermillion River watersheds in South Dakota; and the Rock River watershed in Minnesota. More than 95 percent of the remaining populations of the Topeka shiner occur on private lands with the remaining populations on State and Federal lands belonging to the States of Kansas and Missouri and the National Park Service. The Topeka shiner is threatened by habitat destruction, degradation, modification, and fragmentation resulting from siltation, reduced water quality, tributary impoundment, stream channelization, and stream dewatering. The species is also impacted by introduced predatory fishes.

Timetable:

Action	Date	FR Cite
NPRM	10/24/97	62 FR 55381
NPRM Comment Period End	12/23/97	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE42

1702. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED DETERMINATION OF THREATENED STATUS FOR KOALA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposed to determine threatened status for the Australian koala. The eucalyptus forest and woodland ecosystem on which this arboreal marsupial depends has been reduced by more than half and is continuing to deteriorate. The species also is threatened by habitat fragmentation and consequent potential loss of genetic viability, disease, and other factors. This proposal incorporates a finding that a petition requesting the listing of the koala is

warranted. It is emphasized that any final rule resulting from this proposal would classify the koala or certain populations thereof as endangered or could exempt certain populations from any classification.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE43

1703. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR PLANT ROUGH POPCORNFLOWER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list the plant rough popcornflower as an endangered species under the authority contained in the Endangered Species Act of 1973, as amended. This species is restricted to wet swales and meadows in Douglas County, Oregon, where only 10 occurrences are known. Most populations are small with few individuals. The total estimated number of plants is 3,000 within a combined area of about 10 acres (most on private land). Threats to this species include destruction and/or alteration of habitat by development and hydrological changes (e.g., wetland fills, draining, construction); spring and summer grazing by domestic cattle, horses, and sheep; roadside maintenance; and competition from native and alien plant species.

Timetable:

Action	Date	FR Cite
NPRM	11/20/97	62 FR 61953
NPRM Comment Period End	01/20/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE44

1704. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED REVISION OF SPECIAL REGULATIONS FOR GRAY WOLF

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: On November 22, 1994, the Service published special rules to establish nonessential experimental populations of gray wolves in Yellowstone National Park and central Idaho. The nonessential experimental population areas include all of Wyoming, most of Idaho, and much of central and southern Montana. This proposed revision is to amend a section of the special regulations so that it clearly applies within the Yellowstone nonessential experimental population area and the central Idaho nonessential experimental population area as described in 7(ii). Ongoing litigation requires the clarification of the Service's need and authority to remove these animals from the area through live capture or lethal means in the interest of attaining gray wolf recovery goals. This proposed change will not affect any of the assumptions and earlier analysis made in the environmental impact statement or other portions of the special rules.

Timetable:

Action	Date	FR Cite
NPRM	12/11/97	62 FR 65237
NPRM Comment Period End	01/12/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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Long-Term Actions

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RIN: 1018-AE45

1705. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR CATESBAEA MELANOCARPA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to determine catesbaea melanocarpa (no common name) to be an endangered species pursuant to the Endangered Species Act of 1973, as amended. Catesbaea melanocarpa (branching shrub) is known from Puerto Rico, St. Croix in the U.S. Virgin Islands, Barbuda, Antigua, and Guadeloupe. In Puerto Rico, it is currently known from only one location in Cabo Rojo, and in the U.S. Virgin Islands it is known from one location near Christiansted, St. Croix. Both populations are located on privately owned land subject to intense pressure for development for residential tourism and industrial purposes.

Timetable:

Action	Date	FR Cite
NPRM	12/16/97	62 FR 65783
NPRM Comment Period End	02/17/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE48

1706. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED ENDANGERED STATUS FOR OAHU ELEPAIO FROM THE HAWAIIAN ISLANDS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes endangered status pursuant to the Endangered Species Act of 1973, as amended, for the Oahu elepaio. This bird is endemic to the Island of Oahu, HI, where it was formerly found in all forested areas on the island. It is currently found in greatly reduced numbers and range in six isolated populations occurring in mid-elevation forests in the southern Koolau mountain range and parts of the Waianae mountain range. The Oahu elepaio is now thought to occupy less than 8 percent of its original, prehistoric range. It may have been affected in the past or continue to be threatened by one or more of the following: habitat degradation, including habitat fragmentation; population fragmentation; predation by introduced alien mammals; competition from introduced alien birds, and introduced avian disease. The Oahu elepaio is also subject to an increased likelihood of extinction from naturally occurring events, including natural disasters.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE51

1707. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED THREATENED STATUS FOR PLANT HOWELL'S SPECTACULAR THELYPODY

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Service proposes to list Howell's spectacular thelypodium as threatened pursuant to the Endangered Species Act of 1973, as amended. This plant is known from 11 sites in Baker and Union Counties, OR, all on privately-owned land. This taxon is threatened by a variety of factors including habitat destruction and fragmentation from agricultural and urban development, grazing by domestic livestock, competition from non-native vegetation, and alterations of wetland hydrology.

Timetable:

Action	Date	FR Cite
NPRM	01/13/98	63 FR 1948
NPRM Comment Period Reopened	03/05/98	63 FR 10817
NPRM Comment Period End	03/16/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE52

1708. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; DETERMINATION OF THE PECOS PUPFISH TO BE ENDANGERED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list the Pecos pupfish as an endangered

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species under the authority of the Endangered Species Act of 1973, as amended. The historical range of the Pecos pupfish included the mainstream Pecos River from the vicinity of Roswell, Chaves County, New Mexico, downstream to the vicinity of Sheffield, Pecos County, Texas, and included various lakes, gypsum sinkholes, saline springs, and tributaries associated with the river. The primary reason for the rapid range reduction is hybridization with and/or replacement by the Sheepshead minnow, a nonnative species introduced into the Pecos River between 1980 and 1984.

Timetable:

Action	Date	FR Cite
NPRM	01/30/98	63 FR 4608
NPRM Comment Period Reopened	03/27/98	63 FR 14892
NPRM Comment Period End	03/31/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE56

1709. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST DESERT MILK VETCH AS THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list desert milk vetch, a low-growing herbaceous plant in the bean family with white flowers and compound leaves, as threatened. This species is restricted to a sandstone outcropping near the town of Birdseye, Utah County, UT. It is threatened by cattle grazing and trampling, residential development and low numbers.

Timetable:

Action	Date	FR Cite
NPRM	01/28/98	63 FR 4207
NPRM Comment Period End	03/30/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE57

1710. SEASONAL CLOSURE OF THE MOOSE RANGE MEADOWS PUBLIC ACCESS EASEMENTS IN THE KENAI NATIONAL WILDLIFE REFUGE

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 460k et seq; 16 USC 668dd et seq; 16 USC 742a et seq; 16 USC 3101 et seq; 44 USC 3501 et seq; PL 105-57

CFR Citation: 50 CFR 36

Legal Deadline: None

Abstract: The Service proposes to restrict public access and use of public easements in the Moose Range Meadows area within the boundary of the Kenai National Wildlife Refuge (Refuge). Public access and use will be prohibited on the Service-managed easements from July 1 through August 15 annually. The seasonal closure will be in effect on the 25-foot-wide streamside easements on both banks of the Kenai River, and on the 25-foot-wide access easements running from Funny River Road and Keystone Drive to the downstream ends of the stream side easements on the south and north banks of the river, respectively.

Timetable:

Action	Date	FR Cite
NPRM	03/18/98	63 FR 13158
Final Action	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Richard Pospahala, Chief, Office of Subsistence

Management, Department of the Interior, United States Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, AK 99503
Phone: 907 786-3467

RIN: 1018-AE58

1711. PUBLIC USE REGULATIONS FOR KODIAK NATIONAL WILDLIFE REFUGE, ALASKA

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 460(k) et seq; 16 USC 668dd et seq; 16 USC 3101 et seq

CFR Citation: 50 CFR 36

Legal Deadline: None

Abstract: The Service will propose regulations to implement portions of the Public Use Management Plan (PUMP) for the Kodiak National Wildlife Refuge. Proposed regulations will include access restrictions and specific requirements and limitations related to commercial and administrative structures, camping, snow machines, pack animals, tent platforms, food containers, and fish cleaning. The PUMP was prepared with an environmental assessment and was reviewed in an appropriate public involvement process. The final document was released in November 1993. By implementing the PUMP, compatible public uses will be allowed while protecting the refuge resources.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Bob Stevens, Refuges and Wildlife, Department of the Interior, United States Fish and Wildlife Service, 1011 E Tudor Road, Anchorage, AK 99503
Phone: 907 786-3499

RIN: 1018-AE60

1712. EAGLE PERMITS; PERMITS FOR FALCONRY PURPOSES; PERMITS TO TAKE GOLDEN EAGLE NESTS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 668a

CFR Citation: 50 CFR 22.24; 50 CFR 22.25

Legal Deadline: None

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Abstract: The Service proposes to amend the eagle permit regulations providing for the taking, possession, and transportation of bald and golden eagles. The Service is revising the requirements for falconry purposes. The Service is adding additional requirements to allow a limited amount of take (relocation or destruction) of inactive bald eagle nests in Alaska.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Paul Schmidt, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1714
Fax: 703 358-2217
Email: paul_schmidt@fws.gov

RIN: 1018-AE62

1713. MIGRATORY BIRD PERMITS; SPECIFIC PERMIT PROVISIONS; IMPORT AND EXPORT PERMITS; BANDING OR MARKING PERMITS; AND SCIENTIFIC COLLECTING PERMITS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 712(2)

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: The Service proposes to amend the Migratory Bird Permit Regulations providing permits for the taking, possession, transportation, sale, purchase, importation, exportation, and banding or marking of migratory birds. The Service is revising the requirements for scientific collecting, banding or marking permits and import and export permits.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Paul Schmidt, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: paul_schmidt@fws.gov

RIN: 1018-AE63

1714. MIGRATORY BIRD PERMITS; INTRODUCTION, GENERAL REQUIREMENTS AND EXCEPTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 712(2)

CFR Citation: 50 CFR 21

Legal Deadline: None

Abstract: The Service proposes to amend the migratory bird permit regulations providing permits for the taking, possession, transportation, sale, purchase, and barter of migratory birds. The Service is revising these permit calculations to update, simplify language, clarify and ensure consistency in text between all parts and sections.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Tribal, Federal

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a

paperwork burden associated with this action.

Agency Contact: Paul Schmidt, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-1714
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Email: paul_schmidt@fws.gov

RIN: 1018-AE64

1715. IMPORTATION, EXPORTATION AND TRANSPORTATION OF WILDLIFE CONCERNING INTERNATIONAL MAIL, PET BIRDS, BORDER PORTS, SHELLFISH AND FISHERY PRODUCTS EXEMPTION

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 14

Legal Deadline: None

Abstract: The Service proposes this regulatory action that will make changes to part 14, Importation, Exportation and Transportation of Wildlife concerning international mail, pet birds, border ports and shellfish and fishery products exemption. Changes will involve requiring a declaration of commercial mail wildlife shipments, requiring Wild Bird Conservation Act permitted shipments to go through a designated port, clarifying use of border ports, and clarifying current exemptions for shellfish and fishery products.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Procurement: This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Kevin R. Adams, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 520 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Fax: 703 358-1947
Email: kevin_adams@fws.gov

RIN: 1018-AE70

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Long-Term Actions

1716. IMPLEMENTATION OF THE 1994 AMENDMENTS TO THE MARINE MAMMALS PROTECTION ACT**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361 to 1374**CFR Citation:** 50 CFR 18**Legal Deadline:** None

Abstract: Section 104 of the Marine Mammal Protection Act authorizes the Director of the Service, acting on behalf of the Secretary of the Interior, to issue permits for activities otherwise prohibited by the Act. Per the 1994 amendments to the Act, regulations will be developed for issuance of general authorizations and permits.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Margaret Tieger, Chief, Branch of Permits, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 700 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2104
Fax: 703 358-2280
Email: margaret_tieger@fws.gov
RIN: 1018-AE72

1717. RECLASSIFICATION OF THE NAMIBIAN POPULATION OF CHEETAH FROM ENDANGERED TO THREATENED**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1361; 16 USC 1531 et seq; 16 USC 4201; PL 99-625**CFR Citation:** 50 CFR 17.11**Legal Deadline:** None

Abstract: The Service proposes to reclassify the cheetah in Namibia from endangered to threatened based on a review of the population status and management, including protected status, of the species within that country. Namibia has one of the largest populations of the cheetahs within the species' extensive range (much of Africa and Iran).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 750 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE73

1718. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED GENTNER'S FRITILARIA (MISSION BELLS)**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened Gentner's fritillaria (missionbells). This species is known from Josephine and Jackson Counties, Oregon. Threats include housing development, succession, logging and collection.

Timetable:

Action	Date	FR Cite
NPRM	03/23/98	63 FR 13819
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE75

1719. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED MARIANA FRUIT BAT**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened the Mariana fruit bat (*Pteropus mariannus mariannus*). This species is known from the Commonwealth of the Northern Mariana Islands, Saipan, Tinian, and Agiguan Islands. Threats include deforestation, overhunting, poaching, and snake predation.

Timetable:

Action	Date	FR Cite
NPRM	03/26/98	63 FR 14641
NPRM Comment Period Reopened	05/29/98	63 FR 29367
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: laverne_smith@fws.gov
RIN: 1018-AE83

1720. ENDANGERED AND THREATENED SPECIES; PROPOSAL TO LIST NORTHERN IDAHO GROUND SQUIRREL AS ENDANGERED OR THREATENED**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened the Northern Idaho ground squirrel (*Spermophilus brunneus brunneus*). This species is known from Adams County, ID. Threats include agricultural land conversion, meadow invasion of conifers, grazing by domestic livestock, off-road and on-road vehicle use, campground expansion and recreational shooting.

Timetable:

Action	Date	FR Cite
NPRM	03/23/98	63 FR 13825
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

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Long-Term Actions

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE84

1721. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED COWHEAD LAKE TUI CHUB

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened Cowhead Lake tui chub (*Gila bicolor vaccaceps*). This species is known from Modoc County, CA. Threats include diversion of water, reduction of riparian vegetation, and predation from snakes and birds and pesticides.

Timetable:

Action	Date	FR Cite
NPRM	03/30/98	63 FR 15152
NPRM Comment Period End	05/29/98	
NPRM Comment Period Reopened	06/17/98	63 FR 33033
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE85

1722. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST DEVIL'S RIVER MINNOW AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened Devil's River minnow (*Dionda diaboli*). This species is known from Val Verde County, TX. Threats include habitat loss from inundation at Amistad Reservoir and reduced instream flow caused by diversions or drought.

Timetable:

Action	Date	FR Cite
NPRM	03/27/98	63 FR 14885
NPRM Comment Period Reopened	05/14/98	63 FR 26764
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: laverne__smith@fws.gov

RIN: 1018-AE86

1723. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST COLORADO BUTTERFLY PLANT AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list as endangered or threatened the Colorado butterfly plant (*Gaura neoexicana* ssp. *coloradensis*). This species is known from Laramie County, WY, and northern Weld County, CO. Threats include herbicide application for noxious weeds and natural succession/competition from shrubs, forbs and introduced weeds.

Timetable:

Action	Date	FR Cite
NPRM	03/24/98	63 FR 14060
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE87

1724. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST AS ENDANGERED OR THREATENED PUZZLE SUNFLOWER

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: NPRM, Judicial, April 1, 1998.

Abstract: The Service proposes to list Puzzle sunflower (*Helianthus paradoxus*) as endangered or threatened. This species is known from TX and NM. Threats include falling water tables and depleted springs.

Timetable:

Action	Date	FR Cite
NPRM	04/01/98	63 FR 15808
NPRM Comment Period End	06/01/98	
NPRM Comment Period Reopened	06/15/98	63 FR 32635
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE88

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1725. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LISTING OF SEVERAL EVOLUTIONARY SIGNIFICANT UNITS OF WEST COAST STEELHEAD**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service is adding several evolutionary significant units (ESU) of west coast steelhead to the list of endangered and threatened wildlife in accordance with the Endangered Species Act of 1973, as amended. The southern California and Upper Columbia River Basin ESU are added as endangered, and the central California coast, south-central California coast Snake River Basin, lower Columbia River, and Central Valley California ESUs are added as threatened. This amendment is based on determinations by the National Marine Fisheries Service, National Oceanic Atmospheric Administration, Department of Commerce, which has jurisdiction over this species.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE97**1726. • AMENDMENT BY BRAZIL TO APPENDIX III LISTING OF BIGLEAF MAHOGANY****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 23**Legal Deadline:** None

Abstract: The Service announces an amendment to the appendix III listing of bigleaf mahogany under the Convention on International Trade in

Endangered Species of Wild Fauna and Flora (CITES). The species in the Americas and its logs, sawn wood, and veneer sheets have been included in appendix III since November 1995, based on an action by the Government of Costa Rica. The Government of Brazil has supplied information to the CITES Secretariat to independently include its population in appendix III to support its national legislation for species and the need for cooperation of other CITES countries in controlling the international trade. The Service will consider any comments received on whether to enter a reservation on the Federative Republic of Brazil's action for its population.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 750 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE99**1727. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST COASTAL-PUGET SOUND JARBIDGE RIVER AND ST. MARY'S-BELLY RIVER POPULATION SEGMENTS OF BULL TROUT AS THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to list the Coastal-Puget Sound population segment of Bull Trout from the coastal drainages and Puget Sound in western Washington; the Jarbidge River population segment of Bull Trout from the Jarbidge River Basin in Southern Idaho and Northern Nevada; and the St. Mary-Belly River population segment of Bull Trout in St. Mary and Belly Rivers in Northwestern Montana as threatened with a special rule,

pursuant to the Endangered Species Act of 1973. The fish is threatened by one or more of the following: habitat degradation from past and ongoing land management activities such as mining, road construction and maintenance, and grazing. The special rule allows for take of Bull Trout within three population segments if in accordance with applicable State and Native American tribal fish and wildlife conservation laws and regulations, and conservation plans.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF01**1728. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST CONTIGUOUS U.S. DISTINCT POPULATION SEGMENTS OF CANADA LYNX AS THREATENED****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The Service proposes to list the contiguous States population of the Canada lynx as threatened, with a special rule, pursuant to the Endangered Species Act of 1973, as amended. This population segment includes the States of Washington, Oregon, Idaho, Montana, Utah, Wyoming, Colorado, Minnesota, Wisconsin, Michigan, Maine, New Hampshire, Vermont, New York, Pennsylvania, and Massachusetts. The contiguous U.S. population segment of the Canada lynx is threatened by human alteration of forests, low numbers as a result of past overexploitation, expansion of the range of competitors (bobcats, coyotes),

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and elevated levels of human access into lynx habitat. This rule also lists the captive population of Canada lynx within the coterminous U.S. (lower 48) as threatened due to similarity of appearance with a special rule.

Timetable:

Action	Date	FR Cite
NPRM	07/08/98	63 FR 36994
NPRM Comment Period End	09/30/98	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF03

1729. • ANNOUNCEMENT OF DRAFT POLICY FOR EVALUATION OF CONSERVATION EFFORTS IN MAKING LISTING DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Fish and Wildlife Service and the National Marine Fisheries Service announce a draft policy for the evaluation of conservation efforts in making listing decisions under the Endangered Species Act of 1973, as amended (Act). The policy identifies criteria to be used in determining whether conservation agreements, conservation plans, management plans, or other formalized conservation efforts remove the need to list a species as threatened or endangered under the Act.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF11

1730. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST THE ALABAMA STURGEON AS ENDANGERED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The Alabama sturgeon occurs in Alabama. The primary threat to the continued survival of the Alabama sturgeon is its limited numbers, and its apparent inability to increase its population size and range.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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Email: laverne_smith@fws.gov
RIN: 1018-AF12

1731. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST THE SCALESHELLED MUSSEL AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: The scaleshelled mussel is known to occur in Missouri, Arkansas, and Oklahoma. Threats include a general deterioration of water quality.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF14

1732. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST SCLEROCACTUS BREVISPINUS (PARIETTE CACTUS) AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None

Abstract: This species was recently described as a new species in 1994. It was previously included in *Sclerocactus glaucus* (Vinta Basin Hookless Cactus), a threatened species under the Endangered Species Act. This proposal is to address this change in taxonomy.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
Phone: 703 358-2171
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Email: laverne_smith@fws.gov

RIN: 1018-AF15

DOI—FWS

Long-Term Actions

1733. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST ALLIUM GOODINGII (GOODDING'S ONION) AS ENDANGERED OR THREATENED**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** This perennial plant occurs in Arizona and New Mexico. Logging, grazing, road construction and recreation impacts are the reasons for the declining status of the species.**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
 Phone: 703 358-2171
 Fax: 703 358-2324
 Email: laverne_smith@fws.gov

RIN: 1018-AF18**1734. • PROPOSED DELISTING OF THE GRIZZLY BEAR IN THE YELLOWSTONE ECOSYSTEM****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None

Abstract: The grizzly bear is classified as a threatened species in the lower 48 States. Six distinct recovery zones have been established in the States of Wyoming, Montana, Idaho and Washington. The Yellowstone Ecosystem (Yellowstone Recovery Zone) supports a growing population of grizzly bears and recovery planning efforts there are expected to result in a secure management scheme by early 1999 that will allow the Service to proceed with a proposal to delist the Yellowstone grizzly population. Other grizzly population will retain threatened status under the Endangered Species Act.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 ARLSQ, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AF22**1735. • MIGRATORY BIRD PERMITS; SPECIFIC PERMIT PROVISIONS; SPECIAL PURPOSE PERMITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 712(2); PL 95-616**CFR Citation:** 50 CFR 27; 50 CFR 31; 50 CFR 32; 50 CFR 33; 50 CFR 34**Legal Deadline:** None

Abstract: The Service proposes to amend the migratory bird permit regulations providing permits for the taking, possession, transportation, sale, purchase, and barter of migratory birds. The Service is revising and updating the requirements for special purpose permits. Due to the large number of permits issued under "Special purpose," the Service proposes to create four new sections for specific types of the most frequently issued special purpose permit: Rehabilitation, Possession, Salvage, and Migratory Game Birds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Paul Schmidt, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, 634 ARLSQ, 1849 C Street NW., Washington, DC 20240
 Phone: 703 358-1714
 Fax: 703 358-2217
 Email: paul_schmidt@fws.gov

RIN: 1018-AF28
DEPARTMENT OF THE INTERIOR (DOI)
United States Fish and Wildlife Service (FWS)

Completed Actions

1736. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: CALIFORNIA PLANTS AND THE BLACK LEGLESS LIZARD**Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17**Completed:**

Reason	Date	FR Cite
Final Action - (Black legless lizard withdrawn 63 FR 43129)	08/12/98	63 FR 43100
Final Action Effective	09/11/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State

Agency Contact: E. LaVerne Smith
 Phone: 703 358-2171

Fax: 703 358-2324
 Email: laverne_smith@fws.gov

RIN: 1018-AD09**1737. ENDANGERED AND THREATENED WILDLIFE AND PLANTS: PALLID MANZANITA****Priority:** Substantive, Nonsignificant**CFR Citation:** 50 CFR 17

DOI—FWS

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	04/22/98	63 FR 19842
Final Action Effective	05/22/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State

Agency Contact: E. LaVerne Smith
Phone: 703 358-2171
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RIN: 1018-AD35

1738. EXPORT OF RIVER OTTERS TAKEN IN MISSOURI IN 1996-97 AND SUBSEQUENT SEASONS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 23

Completed:

Reason	Date	FR Cite
Withdrawn	08/13/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State

Agency Contact: Marshall Jones
Phone: 202 208-6393
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Email: marshall__jones@fws.gov

RIN: 1018-AD63

1739. STANDARDS FOR THE HUMANE AND HEALTHFUL TRANSPORT OF WILD REPTILES AND AMPHIBIANS TO THE UNITED STATES

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 14

Completed:

Reason	Date	FR Cite
Withdrawn	08/26/98	63 FR 45444

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Rosemarie Gnam
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Fax: 703 358-2280
Email: rosemarie__gnam@fws.gov

RIN: 1018-AD98

1740. ENDANGERED SPECIES LISTING: PREBLE'S MEADOW JUMPING MOUSE

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	05/13/98	63 FR 26517
Final Action Effective	06/12/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith
Phone: 703 358-2171
Fax: 703 358-2324
Email: laverne__smith@fws.gov

RIN: 1018-AE06

1741. SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA; SUBPARTS C&D—1998-99 SUBSISTENCE TAKING OF FISH AND WILDLIFE REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 100

Completed:

Reason	Date	FR Cite
Final Action	06/29/98	63 FR 35332
Final Action Effective	07/01/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Richard Pospahala
Phone: 907 786-3467

RIN: 1018-AE12

1742. NO SURPRISES POLICY

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	02/23/98	63 FR 8859
Final Action Effective	03/25/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith
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Email: laverne__smith@fws.gov

RIN: 1018-AE24

1743. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED EMERGENCY RULE ESTABLISHING ADDITIONAL MANATEE SANCTUARY IN KINGS BAY CRYSTAL RIVER, FL

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	10/16/98	63 FR 55553

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith
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RIN: 1018-AE47

1744. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST SAN BERNARDINO KANGAROO RAT AS ENDANGERED

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Final Action	09/24/98	63 FR 51005
Final Action Effective	09/24/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith
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RIN: 1018-AE59

1745. MIGRATORY BIRD HUNTING; NONTOXIC SHOT; TEMPORARY APPROVAL OF TUNGSTEN-POLYMER AS NONTOXIC FOR THE 1998-99 SEASON

Priority: Substantive, Nonsignificant

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
Final Action	10/07/98	63 FR 54022
Final Action Effective	10/07/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

DOI—FWS

Completed Actions

Agency Contact: Paul Schmidt
Phone: 703 358-1714
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Email: paul_schmidt@fws.gov
RIN: 1018-AE66

1746. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LIST LAGRACIOSA THISTLE AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Merged With RIN 1018-AE81	03/30/98	63 FR 15164

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith
Phone: 703 358-2171
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Email: laverne_smith@fws.gov
RIN: 1018-AE77

1747. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSED RULE TO LIST LOMPOC YERBA SANTA AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Merged With RIN 1018-AE81	03/30/98	63 FR 15164

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith
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RIN: 1018-AE78

1748. ENDANGERED AND THREATENED SPECIES; PROPOSAL TO LIST AS ENDANGERED OR THREATENED GAVIOTA TARPLANT

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Merged With RIN 1018-AE81	03/30/98	63 FR 15164

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith
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RIN: 1018-AE79

1749. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO LIST SANTA CRUZ TARPLANT AS ENDANGERED OR THREATENED

Priority: Substantive, Nonsignificant
CFR Citation: 50 CFR 17

Completed:

Reason	Date	FR Cite
Merged With RIN 1018-AE81	03/30/98	63 FR 15142

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: E. LaVerne Smith
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Email: laverne_smith@fws.gov
RIN: 1018-AE80

1750. ENDANGERED AND THREATENED WILDLIFE AND PLANTS; PROPOSAL TO DELIST THROUGHOUT ITS RANGE AND REMOVE THE SIMILARITY OF APPEARANCE PROVISION FOR THE AMERICAN PEREGRINE FALCON

Completed:

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 1018-AF04	10/21/98	

RIN: 1018-AE90

1751. MIGRATORY BIRD HUNTING; PROPOSED 1997-98 MIGRATORY GAME BIRD HUNTING REGULATIONS (PRELIMINARY) WITH REQUESTS FOR INDIAN TRIBAL PROPOSALS

Priority: Economically Significant.
Major under 5 USC 801.

CFR Citation: 50 CFR 20

Completed:

Reason	Date	FR Cite
Final Action	09/30/98	63 FR 52348

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Agency Contact: Paul R. Schmidt
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RIN: 1018-AE93

1752. • CHANGE IN STATUS OF BOLIVIAN POPULATION OF BIGLEAF MAHOGANY IN APPENDIX III OF CITES

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 23

Legal Deadline: None

Abstract: This rule announces a strengthening change in the status in appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of Bigleaf Mahogany from Bolivia and its logs, sawn wood and veneer sheets only, as submitted by the government of Bolivia to the CITES Secretariat. The Service will consider any comments received on whether to enter a reservation on this changed status for this population of the species, which has been in appendix III since November 1995.

Timetable:

Action	Date	FR Cite
Final Action	05/14/98	63 FR 26739
Final Action Effective	05/14/98	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Susan Lieberman, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, MS750 Arlington Square, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE94

DOI—FWS

Completed Actions

1753. • ENDANGERED AND THREATENED WILDLIFE AND PLANTS; REMOVAL OF CRITICAL HABITAT FOR THE MEXICAN SPOTTED OWL, LOACH MINNOW AND SPIKEDACE**Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1531 et seq**CFR Citation:** 50 CFR 17**Legal Deadline:** None**Abstract:** The Service amends the list of threatened and endangered wildlife to remove critical habitat designations

for the Mexican spotted owl, spikedace, and loach minnow, pursuant to the Endangered Species Act of 1973, as amended. By publication of the final rule, critical habitat is also removed from Mexican spotted owl, loach minnow, and spikedace.

Timetable:

Action	Date	FR Cite
Final Action	03/25/98	63 FR 14378
Final Action Effective	03/25/98	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: E. LaVerne Smith, Chief, Division of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 452 Arlington Square, 1849 C Street NW., Washington, DC 20240
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RIN: 1018-AE95**BILLING CODE** 4310-55-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

National Park Service (NPS)

1754. NATIONAL PARK SERVICE SYMBOLS: UNITED STATES PARK POLICE INSIGNIA**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1; 16 USC 3**CFR Citation:** 36 CFR 11**Legal Deadline:** None

Abstract: The rule will recognize an official United States Park Police insignia, provide for its future protection and prevent the unauthorized use of the insignia. The rule proposes to amend sections regarding authorized use and protection of the arrowhead symbol, add a section regarding the use and protection of the Park Ranger badge, and delete reference to the "Parkscape Symbol."

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	
NPRM Comment Period End	03/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
Phone: 202 208-4874
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Email: chip h davis@rad.nps.gov

RIN: 1024-AB94**1755. APPLICABILITY AND RESOURCE PROTECTION REVISIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 462**CFR Citation:** 36 CFR 2**Legal Deadline:** None

Abstract: A major revision of 36 CFR part 2 was completed in 1983. This current review is to address clarification of the applicability of these regulations in National Park Service areas, and to update existing resource protection and visitor use regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
NPRM Comment Period End	01/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
Phone: 202 208-4874
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RIN: 1024-AC38**1756. NON-FEDERAL OIL AND GAS RIGHTS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1; 16 USC 230a; 16 USC 450kk; 16 USC 459d-3; 16 USC 459h-3; 16 USC 460ee; 16 USC 460cc-2(i); 16 USC 460m; 16 USC 698c; 16 USC 698f; 16 USC 3101; 18 USC 3571; 18 USC 3581; 43 USC 600d**CFR Citation:** 36 CFR 9**Legal Deadline:** None

Abstract: This rule will update existing regulations that were promulgated in 1978 to make them consistent with existing laws, policies, and practices and will improve their clarity and workability. The rule will implement Congressional mandates for park resource protection contained in the Big Cypress National Preserve Act of 1988. The rule will strengthen the ability of the NPS to protect the natural, cultural, and historic resources of system units from non-Federal oil and gas and geothermal operations within park boundaries.

Timetable:

Action	Date	FR Cite
NPRM	02/00/99	
NPRM Comment Period End	04/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Carol McCoy, Chief, Policy and Regulations Section, Mining and Minerals Branch, Department of the Interior, National Park Service

DOI—NPS

Proposed Rule Stage

Phone: 303 969-2096

RIN: 1024-AC53

1757. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT REGULATIONS FUTURE APPLICABILITY

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 3001

CFR Citation: 43 CFR 10.13

Legal Deadline: None

Abstract: The proposed rule relates to one section of regulations implementing NAGPRA. This section outlines procedures for the future applicability of NAGPRA to museums and Federal agencies.

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	
NPRM Comment Period End	03/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dr. Francis P. McManamon, Departmental Consulting Archaeologist, Department of the Interior, National Park Service
Phone: 202 343-4101

RIN: 1024-AC57

1758. DENALI NATIONAL PARK AND PRESERVE, SPECIAL REGULATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 462(k); 16 USC 3101 et seq

CFR Citation: 36 CFR 13.63

Legal Deadline: None

Abstract: This proposed rule will change out-of-date references to Mount McKinley National Park to Denali National Park. It will also consolidate in the special regulations existing designations closures, permit requirements, and other restrictions regarding vehicle use, vehicle traffic, oversize vehicles, snowmachines and public health, safety, and resource protection postings and closures.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
NPRM Comment Period End	12/00/98	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Russ Wilson, Alaska Desk Officer, Department of the Interior, National Park Service
Phone: 202 208-6381

RIN: 1024-AC58

1759. HYDROELECTRIC POWER PROJECTS IN THE NATIONAL PARK SYSTEM

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 791a et seq; 16 USC 797c

CFR Citation: 36 CFR 19

Legal Deadline: None

Abstract: The rule will implement section 2402 of the Energy Policy Act of 1992 (16 USC 797c). The rule will establish the procedure for the Director to follow in determining whether a new hydroelectric project located within the boundaries of any unit of the National Park System would have a direct adverse effect on Federal lands within that unit and the procedures for applicants to follow when filing with the Federal Energy Regulatory Commission.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
Phone: 202 208-4874
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RIN: 1024-AC64

1760. PERSONAL WATERCRAFT

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 3

Legal Deadline: None

Abstract: This rule will provide a process for authorizing the use of personal watercraft in units of the NPS through area designations by the Superintendent using the criteria, procedures, and standards adopted by this rule. This rule will enable the NPS to better manage the burgeoning use of personal watercraft in units of the NPS.

Timetable:

Action	Date	FR Cite
NPRM	09/15/98	63 FR 49312
NPRM Comment Period End	11/16/98	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
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RIN: 1024-AC65

1761. LAND AND WATER CONSERVATION FUND OF ASSISTANCE TO STATES; POST-COMPLETION COMPLIANCE RESPONSIBILITIES

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 16 USC 4601-4

CFR Citation: 36 CFR 59

Legal Deadline: None

Abstract: This amendment to 36 CFR 59 modifies Land and Water Conservation Fund (L&WCF) post-completion requirements by: (1) clarifying the "State" planning prerequisite for conversion approval; (2) allowing the recipient of an L&WCF grant to use non-recreation land it currently owns, or non-recreation land

DOI—NPS

Proposed Rule Stage

that is transferred from one public agency to another without payment, to satisfy the replacement requirement when land acquired with L&WCF assistance is proposed for conversion to other than public outdoor recreation uses, assuming all other eligibility criteria are met; (3) eliminating the requirement to notify NPS of all instances of obsolescence and facility use changes; and (4) establishing standards for resolving premature conversions to ensure their timely resolution.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State

Agency Contact: Wayne Strum, Outdoor Recreation Planner, Department of the Interior, National Park Service, Recreation Programs Division, 1849 C Street NW., Washington, DC 20240
Phone: 202 565-1129

RIN: 1024-AC68

1762. • VEHICLES AND TRAFFIC SAFETY; OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 462k

CFR Citation: 36 CFR 4.23

Legal Deadline: None

Abstract: The National Park Service (NPS) is proposing to amend its regulations concerning motor vehicle operation under the influence of alcohol within units of the NPS. Current NPS regulations prohibit operation with a blood alcohol concentration (BAC) of 0.10 grams or more of alcohol per 100 milliliters of blood or 0.10 grams of alcohol per 210 liters of breath. On March 3, 1998, President Clinton directed the NPS to promulgate regulations adopting a stricter limit of 0.08 grams BAC within units of the NPS.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
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RIN: 1024-AC69

1763. • SOLID WASTE SITES IN UNITS OF THE NATIONAL PARK SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 4601-22(c)

CFR Citation: 36 CFR 6.7

Legal Deadline: None

Abstract: The National Park Service (NPS) proposes to amend 36 CFR 6.7 to clarify its applicability to mining-generated solid wastes in units of the NPS. The proposed amendments are not intended to change the substantive scope and goals of 36 CFR 6, which has been in effect since January 25, 1995.

Timetable:

Action	Date	FR Cite
NPRM	02/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Julia Brunner, Department of the Interior, National Park Service
Phone: 303 969-2012

RIN: 1024-AC70

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

National Park Service (NPS)

1764. NATIONAL NATURAL LANDMARKS PROGRAM

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 461 et seq

CFR Citation: 36 CFR 62

Legal Deadline: None

Abstract: This proposed rulemaking will amend the current regulations for the National Natural Landmarks Program. Proposed changes include strengthening and clarifying provisions for landowner notification, adding requirements for voluntary landowner consent for natural landmark designation, and providing for review of natural landmark nominations by the National Park System Advisory Board.

Timetable:

Action	Date	FR Cite
ANPRM	10/29/90	55 FR 43384
NPRM	11/21/91	56 FR 58790
NPRM Comment Period End	02/19/92	
Final Action	10/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Craig Shafer, NNL WASO Coordinator, Department of the Interior, National Park Service, 1849 C Street NW., Washington, DC 20240
Phone: 202 219-8934

RIN: 1024-AB96

1765. GLACIER BAY NATIONAL PARK, ALASKA FISHING REGULATIONS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 3101 et seq

CFR Citation: 36 CFR 13.65

Legal Deadline: None

Abstract: The proposed regulations would allow several exemptions for specific commercial fishing activities in Glacier Bay National Park's marine waters from the existing Nationwide National Park Service prohibition on such activities. Some commercial fishing activities would cease at the end of their exemption period.

DOI—NPS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	08/05/91	56 FR 37262
NPRM Comment Period End	11/03/91	56 FR 46589
Reproposal	04/16/97	62 FR 18547
Comment Period End	06/01/98	63 FR 23706
Final Action	10/00/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: James M. Brady, Superintendent, Department of the Interior, National Park Service
Phone: 907 697-2230

RIN: 1024-AB99**1766. RIGHTS-OF-WAY**

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 3; 16 USC 5; 16 USC 79

CFR Citation: 36 CFR 14**Legal Deadline:** None

Abstract: The regulations for rights-of-way found at 36 CFR part 14 subparts A to H were promulgated as interim regulations in 1980. The regulations no longer meet the needs of the Service or of rights-of-way applicants. Final regulations need to be developed through a revision of part 14.

Timetable:

Action	Date	FR Cite
NPRM	12/01/97	62 FR 63488
NPRM Comment Period End	01/30/98	
Final Action	01/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Dick Young, Park Ranger, Department of the Interior, National Park Service
Phone: 757 898-7846

RIN: 1024-AC01**1767. VOYAGEURS NATIONAL PARK: AIRCRAFT OPERATIONS**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 9a

CFR Citation: 36 CFR 7.33**Legal Deadline:** None

Abstract: This proposed rulemaking amends the current special regulations for Voyageurs National Park by adding a section designating areas open to aircraft use within the Park. This addition is necessary because National Park Service general regulations require such special regulatory designations for areas in parks open to the operation or use of aircraft. The intended effects are to increase safety, protect resources, and provide appropriate enjoyment to park users.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/02/95	60 FR 39257
NPRM	01/31/96	61 FR 3360
NPRM Comment Period End	09/05/96	61 FR 20775
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Bruce McKeeman, Chief Ranger, Department of the Interior, National Park Service
Phone: 218 283-9821

RIN: 1024-AC23**1768. GRAND TETON NATIONAL PARK AND JOHN D. ROCKEFELLER, JR. MEMORIAL PARKWAY: SNOWMOBILE AND SNOWPLANE ROUTES AND REGULATIONS**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 1; 16 USC 3; 16 USC 9a

CFR Citation: 36 CFR 7.22**Legal Deadline:** None

Abstract: The National Park Service proposes to change the special regulations relating to the use of and designated routes for snowmobiles and snowplanes within Grand Teton National Park and John D. Rockefeller, Jr. Memorial Parkway. The proposed rule will define more clearly the use of snowmobiles, snowplanes, and designated routes. This rule can eliminate the use of snowmobiles in the Potholes-Baseline Flats area at the discretion of the Superintendent and establish special regulations allowing snowmobile use on the Continental Divide Snowmobile Trail. The proposed rule will also establish a

requirement for operators of snowmobiles within Grand Teton National Park to have a valid driver's license or learner's permit.

Timetable:

Action	Date	FR Cite
NPRM	10/25/95	60 FR 54633
NPRM Comment Period End	12/26/95	
Final Action	10/00/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
Phone: 202 208-4874
Fax: 202 208-6756
Email: chip h davis@rad.nps.gov

RIN: 1024-AC34**1769. PROCEDURES FOR STATE, TRIBAL, AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS**

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 16 USC 470 et seq**CFR Citation:** 36 CFR 61**Legal Deadline:** None

Abstract: The National Park Service proposes to revise the requirements for State and local historic preservation programs as well as the way the NPS administers these programs. The proposed changes are intended to provide more flexibility in: (1) staffing the State historic preservation office; (2) setting standards for State Historic Preservation Review Board membership and operations; and (3) carrying out State Historic Preservation Officer responsibilities. The revision streamlines the process for certification of local governments to participate officially in the national historic preservation program. This proposed revision also officially recognizes the growing role of tribal historic preservation programs. Some of the changes are necessary because of the 1992 amendments to the National Historic Preservation Act.

Timetable:

Action	Date	FR Cite
NPRM	10/02/96	61 FR 51536

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Action	Date	FR Cite
NPRM Comment	12/02/96	
Period End		
Final Action	10/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** John W. Renaud, Department of the Interior, National Park Service
Phone: 202 343-1059**RIN:** 1024-AC44**1770. BIG CYPRESS NATIONAL PRESERVE; RECREATIONAL FROGGING****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a**CFR Citation:** 36 CFR 7.86**Legal Deadline:** None**Abstract:** This rule will allow the recreational, non-commercial taking of the pig frog (*Rana grylio*) in the Preserve. The rule will designate seasons, times, locations, methods, and means of taking, and establish harvest limits and permit requirements.**Timetable:**

Action	Date	FR Cite
NPRM	11/22/96	61 FR 59393
NPRM Comment	01/21/97	
Period End		
Final Action	01/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kevin Kacer, Chief Ranger, Department of the Interior, National Park Service, Big Cypress National Preserve
Phone: 941 695-2000**RIN:** 1024-AC54**1771. DELAWARE WATER GAP NRA, BICYCLE TRAIL****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(g); 16 USC 462(k)**CFR Citation:** 36 CFR 7.71**Legal Deadline:** None**Abstract:** This rule will designate certain routes within a nondeveloped area of Delaware Water Gap NRA as open to bicycle use, and will regulate their use in this area.**Timetable:**

Action	Date	FR Cite
NPRM	11/13/97	62 FR 60815
NPRM Comment	01/12/98	
Period End		
Final Action	10/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Wayne Valentine, Supervisory Park Ranger, Department of the Interior, National Park Service
Phone: 908 841-9533**RIN:** 1024-AC62**1772. KALOKO-HONOKOHOU NATIONAL HISTORIC PARK: PUBLIC NUDITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(g); 16 USC 462(k)**CFR Citation:** 36 CFR 7.87**Legal Deadline:** None**Abstract:** This rule will prohibit public nudity within the boundaries of Kaloko-Honokohou National Historic Park, Hawaii. The existing practice of recreational public nudity is in conflict with the enabling legislation of the Park (16 U.S.C. 396d) and the traditional values of native Hawaiian culture which the Park was created to perpetuate and preserve.**Timetable:**

Action	Date	FR Cite
NPRM	04/20/98	63 FR 19436
NPRM Comment	06/19/98	
Period End		
Final Action	11/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
Phone: 202 208-4874
Fax: 202 208-6756

Email: chip h davis@rad.nps.gov

RIN: 1024-AC66**1773. APPALACHIAN NATIONAL SCENIC TRAIL—SNOWMOBILES****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 1; 16 USC 3; 16 USC 9a; 16 USC 460(l); 16 USC 462 (k)**CFR Citation:** 36 CFR 7.100**Legal Deadline:** None**Abstract:** This rule will designate trail crossings of snowmobile trails at three locations along the Appalachian National Scenic Trail. These trail crossings are part of a State-approved network of snowmobile routes that exist on adjacent State lands. These crossings existed prior to the NPS assuming management of the National Scenic Trail. Designating these crossings fulfills assurances made by the NPS at the time of land acquisition that establishment of the permanent linear trail corridor would not sever established snowmobile routes.**Timetable:**

Action	Date	FR Cite
NPRM	03/19/98	63 FR 13383
NPRM Comment	05/18/98	
Period End		
Final Action	11/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
Phone: 202 208-4874
Fax: 202 208-6756

Email: chip h davis@rad.nps.gov

RIN: 1024-AC67**1774. • INFORMATION COLLECTION ACTIVITIES****Priority:** Info./Admin./Other**Legal Authority:** 16 USC 1; 16 USC 3; 44 USC 3506**CFR Citation:** 36 CFR 15**Legal Deadline:** None**Abstract:** This final rule is an administrative change to 36 CFR to condense and clarify NPS information collection activities. This change will

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remove references to OMB approvals for collections of information presently scattered throughout NPS regulations and consolidate them in one part of 36 CFR. These changes do not increase the burden of information collection as described in the Paperwork Reduction Act of 1995 or its implementing regulations at 5 CFR 1320.

Timetable:

Action	Date	FR Cite
Final Action	10/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Chip H. Davis, Staff Park Ranger, Ranger Activities, Division, Department of the Interior, National Park Service, 1849 C Street NW., ms 7408, Washington, DC 20240
Phone: 202 208-4874
Fax: 202 208-6756
Email: chip h davis@rad.nps.gov
RIN: 1024-AC71

DEPARTMENT OF THE INTERIOR (DOI)
National Park Service (NPS)

Completed Actions

1775. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT REGULATIONS; CIVIL PENALTIES

Priority: Substantive, Nonsignificant

CFR Citation: 43 CFR 10

Completed:

Reason	Date	FR Cite
Interim Final Rule	01/13/97	62 FR 1820

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dr. Francis P. McManamon
Phone: 202 343-4101

RIN: 1024-AC48

BILLING CODE 4310-70-F

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Indian Affairs (BIA)

Proposed Rule Stage

1776. INDIAN SCHOOL EQUALIZATION PROGRAM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 13; 25 USC 2008

CFR Citation: 25 CFR 39

Legal Deadline: None

Abstract: This rule will change the definitions of some disabling conditions so that they are consistent with Department of Education definitions of some disabling conditions and adjust the way schools are reimbursed for student transportation services.

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Rod Young, Chief, Branch of Administrative Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4555

RIN: 1076-AD09

1777. LEASING RESTRICTED LANDS OF MEMBERS OF THE FIVE CIVILIZED TRIBES OKLAHOMA, FOR MINING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 356

CFR Citation: 25 CFR 213

Legal Deadline: None

Abstract: BIA is revising this rule to ensure consistency with existing law and to improve operating procedures. Issues to be addressed include authority to lease inherited restricted land, processing lease payments through the Minerals Management Service, and the approval process for division orders.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	
NPRM Comment Period End	02/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Charles Robertson, Realty Officer Muskogee Area Office, Department of the Interior, Bureau of Indian Affairs
Phone: 918 687-2324

RIN: 1076-AD33

1778. EXPLORATION, MINING, AND RECLAMATION OF LANDS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 355; 25 USC 396; 25 USC 473; 25 USC 501; 25 USC 396; 5 USC 301

CFR Citation: 25 CFR 216

Legal Deadline: None

Abstract: This rule will update part 216 to incorporate changes in regulations as well as the mining industry. It will bring the bureau into conformance with the standards of the Bureau of Land Management and the Office of Surface Mining and will protect the Indian mineral owners by giving them no less protection than what is given to Federal lands. Indian mineral owners will be protected through the regulation of exploration for minerals by adequate measures that avoid, minimize, or correct damage to the environment, land, water, and the public safety.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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Proposed Rule Stage

Agency Contact: Pete Aguilar,
Geologist, Department of the Interior,
Bureau of Indian Affairs
Phone: 303 969-5270

RIN: 1076-AD36

1779. TRIBAL REORGANIZATION UNDER A FEDERAL STATUTE

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 473a; 25 USC 476; 25 USC 477; 25 USC 503

CFR Citation: 25 CFR 81

Legal Deadline: None

Abstract: This rule contains uniform procedures for conducting Secretarial elections for voting on proposed constitutions when tribes wish to reorganize, adopt constitutional amendments, ratify and amend charters, or revoke existing constitutions. This revision will incorporate changes to comply with Public Law 100-581.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Delores Springer,
Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-7435

RIN: 1076-AD46

1780. PETITIONING PROCEDURES

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 473a; 25 USC 476; 25 USC 477; 25 USC 503

CFR Citation: 25 CFR 82

Legal Deadline: None

Abstract: This rule contains procedures for submitting petitions that request the Secretary to call elections to amend tribal constitutions, issue charters, and other actions. The revision will allow the petitioners' spokesman to make technical changes to petitions in consultation with the Bureau and to change the petition format.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Delores Springer,
Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-7435

RIN: 1076-AD47

1781. ACADEMIC AND DORMITORY STANDARDS

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 2001; 25 USC 2002; 25 USC 2003; PL 95-561; 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 36

Legal Deadline: None

Abstract: This rule will eliminate subparts A through G of 25 CFR 36. Of 189 Bureau schools, 179 have adopted State or regional academic standards. BIA will assist the remaining schools to achieve State or regional accreditation. This will render the rules in subparts A through G obsolete.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James C. Martin,
Division Chief, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-5810

RIN: 1076-AD55

1782. EDUCATION CONTRACTS UNDER THE JOHNSON-O'MALLEY ACT

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 455 to 457

CFR Citation: 25 CFR 273

Legal Deadline: None

Abstract: The rule will include guidelines and responsibilities related to agreements under the provisions of

the Indian Self Determination Act Amendments of 1994. The new provisions will reduce the burden of reporting requirements by the tribes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
NPRM Comment Period End	03/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Garry R. Martin,
Education Specialist, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-3478

RIN: 1076-AD58

1783. LOANS TO INDIANS FROM THE REVOLVING LOAN FUND

Priority: Info./Admin./Other

Major: Undetermined

Legal Authority: 25 USC 1469

CFR Citation: 25 CFR 101

Legal Deadline: None

Abstract: The direct loan program is being eliminated. We will eliminate most of 25 CFR 101 and will rewrite the rest.

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Woody Sneed,
Financial Analyst, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4796

RIN: 1076-AD59

1784. ARRANGEMENT WITH STATES, TERRITORIES, OR OTHER AGENCIES FOR SOCIAL WELFARE AND RELIEF OF DISTRESS OF INDIANS

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 454

CFR Citation: 25 CFR 21

Legal Deadline: None

Abstract: The Bureau has never used this regulation. Other regulations in 25

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Proposed Rule Stage

CFR provide adequate authority for the Bureau to contract with other organizations to provide social services for eligible Indians. Because this regulation is not needed, we will remove it from the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/01/96	61 FR 33876
NPRM	12/00/98	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

Agency Contact: Larry R. Blair, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-2721

RIN: 1076-AD61

1785. SCHOOL CONSTRUCTION CONTRACTS FOR PUBLIC SCHOOLS

Priority: Info./Admin./Other

Major: Undetermined

Legal Authority: PL 104-4

CFR Citation: 25 CFR 277

Legal Deadline: None

Abstract: This rule is being eliminated because the program it governs has never been funded.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment	09/00/99	
Period End		

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Joann Sebastian Morris, Office of Indian Education Programs, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-6123

RIN: 1076-AD69

1786. ADULT VOCATIONAL TRAINING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 309; PL 88-230

CFR Citation: 25 CFR 27

Legal Deadline: None

Abstract: The rule for BIA's adult vocational training program is being rewritten in plain English as part of the President's regulatory reform initiative

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dean Poleahla, Office of Economic Development, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-2671

RIN: 1076-AD72

1787. LOAN GUARANTEE PROGRAM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 1451

CFR Citation: 25 CFR 103

Legal Deadline: None

Abstract: The rule for the guaranteed loan program is being rewritten in plain English as part of the President's regulatory reform initiative.

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Woody Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4796

RIN: 1076-AD73

1788. EMPLOYMENT ASSISTANCE FOR ADULT INDIANS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 26

Legal Deadline: None

Abstract: The rule for BIA's employment assistance program for adult Indians is being rewritten in plain English as part of the President's regulatory reform initiative.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dean Poleahla, Office of Economic Development, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-2671

RIN: 1076-AD75

1789. CERTIFICATES OF DEGREE OF INDIAN BLOOD

Priority: Info./Admin./Other

Major: Undetermined

Legal Authority: 25 USC 9; 25 USC 13

CFR Citation: 25 CFR 70

Legal Deadline: None

Abstract: This rule establishes procedures for processing certificates of degree of Indian blood.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
NPRM Comment	02/00/99	
Period End		

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Tribal

Agency Contact: Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4400

RIN: 1076-AD78

1790. MORTGAGES AND DEEDS OF TRUST ON INDIVIDUALLY OWNED TRUST LAND OR LAND SUBJECT TO A RESTRICTION ON ALIENATION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 483a

CFR Citation: 25 CFR 152

Legal Deadline: None

Abstract: Indians may mortgage or give deeds of trust to their restricted land with approval of the Secretary of the Interior. The regulation will state the conditions under which approval will be given.

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Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	
NPRM Comment	03/00/99	
Period End		

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None

Agency Contact: Woodrow B. Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4796

RIN: 1076-AD85**1791. • ACQUISITION OF TITLE TO LAND IN TRUST****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 2719**CFR Citation:** 25 CFR 151**Legal Deadline:** None

Abstract: On September 18, 1990, we issued the first regulations for acquisition in trust by the United States of lands for Indian tribes and individual Indians. This rule simplifies

the process and criteria by which we determine whether to accept in trust lands located inside reservation boundaries or inside an approved Indian land Consolidation Area. The rule also sets out the process and criteria for determining whether to accept in trust lands located outside reservation boundaries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:**

Undetermined

Agency Contact: Terry Virden, Director, Office of Trust Responsibilities, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-5831

RIN: 1076-AD90**1792. • FINANCIAL ASSISTANCE AND SOCIAL SERVICES PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 13**CFR Citation:** 25 CFR 20**Legal Deadline:** None

Abstract: The Bureau is updating this rule to reflect changes in welfare programs. The principal changes are due to Public Law 104-193 which enacted welfare reform and removed welfare as an entitlement. The revised rule will reflect changes resulting from this law and other developments in national welfare policy.

Timetable:

Action	Date	FR Cite
NPRM	02/00/99	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Agency Contact: Larry R. Blair, Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-2721

RIN: 1076-AD91

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Bureau of Indian Affairs (BIA)

1793. LEASING AND PERMITTING

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 395; 25 USC 402; 25 USC 403; 25 USC 466**CFR Citation:** 25 CFR 162**Legal Deadline:** None

Abstract: This rule will reorganize the existing leasing and permitting rule into subparts and incorporate the provisions on range permits and leasing required by Public Law 103-177.

Timetable:

Action	Date	FR Cite
NPRM	06/17/96	61 FR 30560
NPRM Comment	10/15/96	
Period End		
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Mark Bradford, Chief, Branch of Agriculture and Range,

Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-3598

RIN: 1076-AA29**1794. NAVAJO PARTITIONED LANDS GRAZING REGULATIONS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 25 USC 640(d)**CFR Citation:** 25 CFR 161**Legal Deadline:** None

Abstract: These regulations are necessary for implementation of the livestock and grazing control provisions of 25 USC 640(d). In 1982 the Federal District Court for Arizona abolished 25 CFR 153 Grazing Regulation for the Joint Use Administrative Area and ordered the Secretary to promulgate new regulations for the control of grazing and livestock for the former Joint Use Administrative Area. Due to a lack of tribal concurrence regulations were not promulgated for lands

partitioned to the Navajo tribe. Navajo tribal concurrence has been recently obtained; therefore, the BIA needs to move forward with publication of these regulations. Any cost associated with the implementation of these regulations will be assumed within the BIA annual budget. Cost associated with compliance of the provisions of these regulations will be borne by the Navajo tribe or its members. There is no associated cost to the general public.

Timetable:

Action	Date	FR Cite
NPRM	11/01/95	60 FR 55506
NPRM Comment	09/06/96	61 FR 29327
Period End		
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Mark Bradford, Chief, Branch of Agriculture and Range, Department of the Interior, Bureau of Indian Affairs

DOI—BIA

Final Rule Stage

Phone: 202 208-3598

RIN: 1076—AC81

1795. PREFERENCE IN EMPLOYMENT**Priority:** Info./Admin./Other**Major:** Undetermined**Legal Authority:** 25 USC 479**CFR Citation:** 25 CFR 5**Legal Deadline:** None

Abstract: The Bureau is proposing to eliminate provisions relating to preference in employment because they expired on January 5, 1990.

Timetable:

Action	Date	FR Cite
NPRM	07/12/96	61 FR 36671
NPRM Comment Period End	09/10/96	
Final Action	12/00/98	
Final Action Effective	01/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4400

RIN: 1076—AD05

1796. GRANTS TO TRIBALLY CONTROLLED COMMUNITY COLLEGES AND NAVAJO COMMUNITY COLLEGE

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 1801 to 1852; 25 USC 640; 25 USC 1831

CFR Citation: 25 CFR 41**Legal Deadline:** None

Abstract: This rule applies to the provision of financial assistance technical assistance, and endowments to tribal colleges and Navajo Community College and will strengthen requirements relating to: (1) Criteria for satisfactory programs; (2) counting Indian students; (3) developing planning grants; (4) forward funding; (5) renovation and construction of facilities; and (6) preparing construction feasibility reports.

Timetable:

Action	Date	FR Cite
NPRM	04/01/97	62 FR 15446

Action	Date	FR Cite
NPRM Comment Period End	06/02/98	
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Garry R. Martin, Education Specialist, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-3478

RIN: 1076—AD08

1797. INDIAN TRIBAL JUSTICE SUPPORT

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 103-176; 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 200; 25 USC 3601 et seq

CFR Citation: 25 CFR 92**Legal Deadline:** None

Abstract: This rule will establish a base funding formula for the distribution of appropriations under the Indian Tribal Justice Act. BIA will use this formula to determine the funding levels to be awarded to eligible Indian tribes for use in establishing or enhancing traditional or contemporary justice systems.

Timetable:

Action	Date	FR Cite
Tribal Consultation	06/20/95	
NPRM	07/30/96	61 FR 39607
NPRM Comment Period End	09/30/96	
Final Action	12/00/98	
Final Action Effective	02/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Tribal

Agency Contact: Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4400

RIN: 1076—AD15

1798. TRIBAL SELF-GOVERNANCE

Regulatory Plan: This entry is Seq. No. 45 in Part II of this issue of the **Federal Register**.

RIN: 1076—AD20

1799. LEASING OSAGE RESERVATION LANDS FOR MINING OF MINERALS OTHER THAN OIL AND GAS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 59-321**CFR Citation:** 25 CFR 214**Legal Deadline:** None

Abstract: This revision eliminates royalties for minerals not found within the Osage Mineral Estate and gives the Osage tribal Council authority for setting applicable royalty rates. This revision also replaces outmoded methods of exchange with modern methods and designates officials responsible for management of non-oil and gas minerals within the Osage Mineral Estate. The revisions will enhance the Department's management of the production of these minerals and eliminate inaccuracies in the current regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/08/96	61 FR 41365
NPRM Comment Period End	10/07/96	
Final Action	11/00/98	
Final Action Effective	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: De Sloan, Acting Superintendent, Osage Agency, Department of the Interior, Bureau of Indian Affairs
Phone: 918 287-1351

RIN: 1076—AD34

1800. LEAD AND ZINC MINING OPERATIONS AND LEASES ON QUAPAW INDIAN LANDS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 66-359; PL 75-39**CFR Citation:** 25 CFR 215**Legal Deadline:** None

Abstract: This rule will update the procedures for leasing and discovery testing, processing, developing, and mining lead and zinc on lands under the jurisdiction of BIA's Miami Agency in Ottawa County, Oklahoma. The

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Final Rule Stage

revisions will assist affected Indians with the efficient development of their lead and zinc deposits without waste, avoidable loss, or damage to their natural resources, the environment, or other resources. The rule will also retitle 25 CFR 215.

Timetable:

Action	Date	FR Cite
NPRM	08/27/96	61 FR 44019
NPRM Comment Period End	10/28/96	
Final Action	12/00/98	
Final Action Effective	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dennis Sisco, Superintendent, Miami Agency, Department of the Interior, Bureau of Indian Affairs
Phone: 918 542-3396

RIN: 1076–AD35

1801. IRRIGATION PROJECTS AND SYSTEMS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 385

CFR Citation: 25 CFR 171

Legal Deadline: None

Abstract: This rule governs the operation and maintenance of BIA-owned irrigation projects. It is being revised as part of the President's reinvention initiative.

Timetable:

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35167
NPRM Comment Period End	09/03/96	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-5480

RIN: 1076–AD44

1802. INDIAN ELECTRIC POWER UTILITIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 385

CFR Citation: 25 CFR 175

Legal Deadline: None

Abstract: This rule contains procedures governing the operation of BIA-owned power utilities. It is being revised as part of the President's reinvention initiative.

Timetable:

Action	Date	FR Cite
NPRM	06/07/96	61 FR 29040
NPRM Comment Period End	08/06/96	
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Ross Mooney, Civil Engineer, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-5480

RIN: 1076–AD45

1803. APPEALS FROM ADMINISTRATIVE ACTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 2

Legal Deadline: None

Abstract: This rule changes the BIA delegations of authority and appeals process. The change will reduce burden on the tribes since there will be less confusion about how to file appeals and the processing of appeals within the Bureau. The revision will also clarify the rule and make it consistent with Bureau policy.

Timetable:

Action	Date	FR Cite
NPRM	06/21/96	61 FR 31875
NPRM Comment Period End	09/19/96	
Final Action	12/00/98	
Final Action Effective	01/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4400

RIN: 1076–AD50

1804. INDIAN BUSINESS DEVELOPMENT PROGRAM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 1524

CFR Citation: 25 CFR 286

Legal Deadline: None

Abstract: The Indian Business Development Program is being discontinued. Entities already having received grants must submit business financial statements. The rule is being rewritten in plain English to reflect this situation.

Timetable:

Action	Date	FR Cite
NPRM	01/30/97	62 FR 4497
Final Action	03/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Woody Sneed, Financial Analyst, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4796

RIN: 1076–AD70

1805. TRIBAL REVENUE ALLOCATION PLANS

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 2710; 5 USC 301

CFR Citation: 25 CFR 290

Legal Deadline: None

Abstract: This rule notifies the public of how tribal revenues are allocated.

Timetable:

Action	Date	FR Cite
NPRM	06/07/96	61 FR 29044
NPRM Comment Period End	08/06/96	
Final Action	11/00/98	

Regulatory Flexibility Analysis Required: No

DOI—BIA

Final Rule Stage

Government Levels Affected: None

Agency Contact: George Skibine, Director, Indian Gaming Management Staff, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4066

RIN: 1076–AD74

1806. COURTS OF INDIAN OFFENSES

Priority: Routine and Frequent

Major: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 200

CFR Citation: 25 CFR 11

Legal Deadline: None

Abstract: This rule will add offenses and clarify the authority of Courts of Indian Offenses.

Timetable:

Action	Date	FR Cite
NPRM	07/05/96	61 FR 35158
NPRM Comment Period End	09/04/96	
Final Action	12/00/98	
Final Action Effective	01/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Bettie Rushing, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs
Phone: 202 208-4400

RIN: 1076–AD76

1807. USE OF COLUMBIA RIVER FISH ACCESS SITES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 100-581

CFR Citation: 25 CFR 247

Legal Deadline: None

Abstract: This rule contains procedures for permitting tribal use of fishing access sites on the Columbia River. These sites are required to allow tribes boat access to the river so that they may exercise their treaty fishing rights. The rule defines who may use the sites, permitted and prohibited activities, and health and safety standards. It also provides rules for using facilities located on the sites.

Timetable:

Action	Date	FR Cite
NPRM	10/28/97	62 FR 55767
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Chuck James, Area Archeologist, Department of the Interior, Bureau of Indian Affairs
Phone: 503 231-6229

RIN: 1076–AD83

1808. USE OF COLUMBIA RIVER IN-LIEU FISHING SITES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 248

Legal Deadline: None

Abstract: This rule contains procedures for permitting tribal use of in-lieu fishing sites on the Columbia River. These sites are owned by the Federal government and are necessary to allow boat access to the river so that Indian fishers can exercise their treaty fishing rights. The rule defines who may use the sites, permitted and prohibited activities, and health and safety standards. It also provides rules for using facilities on the site.

Timetable:

Action	Date	FR Cite
NPRM	10/28/97	62 FR 55767
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Chuck James, Area Archeologist, Department of the Interior, Bureau of Indian Affairs
Phone: 503 231-6229

RIN: 1076–AD86

1809. CLASS III GAMING PROCEDURES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 2; 25 USC 2710; 25 USC 9; 25 USC 301

CFR Citation: 25 CFR 291

Legal Deadline: None

Abstract: This rule establishes procedures that the Secretary of the

Interior will use to promulgate rules for the conduct of Class III Indian gaming when a State and Indian tribe are unable to voluntarily agree to a compact; and the State has asserted its immunity from suit brought by an Indian tribe under 25 USC 2710(d)(7)(b).

Timetable:

Action	Date	FR Cite
NPRM	01/22/98	63 FR 3289
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Paula L. Hart, Department of the Interior, Bureau of Indian Affairs, Room 2070 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 219-4066

RIN: 1076–AD87

1810. CORRECTION OF CODIFICATION ERRORS IN 25 CFR

Priority: Info./Admin./Other

Legal Authority: 5 USC 553

CFR Citation: 25 CFR 11; 25 CFR 256; 25 CFR 700; 25 CFR 11; 25 CFR 151; 25 CFR 160; 25 CFR 140

Legal Deadline: None

Abstract: We are publishing this rule at the request of the Office of the Federal Register. The rule corrects technical errors at various locations in 25 CFR. The errors we are correcting include incorrect cross references and incorrect paragraph designations. None of the corrections will affect the substance of the rules in 25 CFR.

Timetable:

Action	Date	FR Cite
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: John Strylowski, Management Analyst, Department of the Interior, Office of the Secretary, Room 7229 MIB, 1849 C Street NW., Washington, DC 20240
Phone: 202 208-3071
Fax: 202 219-2100
Email: john_strylowski@ios.doi.gov

RIN: 1076–AD88

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Final Rule Stage

1811. • PREPARATION OF ROLLS OF INDIANS**Priority:** Substantive, Nonsignificant**Legal Authority:** 25 USC 1300d-3(b)**CFR Citation:** 25 CFR 61**Legal Deadline:** None**Abstract:** We must reopen the enrollment application process authorized under 25 USC 1300d-3 (b)

to give individuals another opportunity to file applications to share in the Sisseton and Wahpeton Mississippi Sioux Judgment Fund distribution.

Timetable:

Action	Date	FR Cite
NPRM	07/08/98	63 FR 36866
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Daisy West, Tribal Relations Officer, Department of the Interior, Bureau of Indian Affairs, Room 4603 MIB, 1849 C Street NW., Washington, DC 20240

Phone: 202 208-2475

Fax: 202 501-0679

RIN: 1076-AD89**DEPARTMENT OF THE INTERIOR (DOI)****Completed Actions****Bureau of Indian Affairs (BIA)****1812. ADMINISTRATION OF THE HIGHER EDUCATION PROGRAM****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 25 CFR 40**Completed:**

Reason	Date	FR Cite
Withdrawn	08/03/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal, Federal**Agency Contact:** Garry R. Martin
Phone: 202 208-3478**RIN:** 1076-AA10**Completed:**

Reason	Date	FR Cite
Withdrawn - This rule will be redeveloped as a negotiated rulemaking.	07/31/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** LeRoy Gishi
Phone: 202 208-4359**RIN:** 1076-AB05**Agency Contact:** June Henkel
Phone: 202 208-3667**RIN:** 1076-AD52**1817. • EDUCATION FACILITIES CONSTRUCTION****Priority:** Other Significant**Legal Authority:** 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 13; 25 USC 295; 25 USC 2005(c); 29 USC 794**CFR Citation:** 25 CFR 294**Legal Deadline:** None**Abstract:** This rule will formalize procedures for the priority ranking process for education facilities construction. The priority ranking process is under guidelines that were published in the Federal Register in May 1979 and April 1988. Under the guidelines, the Department has annually prepared a new priority ranking list and published it in the Federal Register. This process has been criticized by both Indian tribes and Congress. This rule would provide more continuity, objectivity, and accountability in the priority ranking process and address the handling of emergency needs.**Timetable:**

Action	Date	FR Cite
NPRM	10/13/93	58 FR 53026
NPRM Comment Period End	01/11/94	
Withdrawn - Procedures will be published as a notice	09/01/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**1813. ADMINISTRATION OF THE INDIAN ADULT EDUCATION PROGRAMS****Priority:** Other Significant**CFR Citation:** 25 CFR 46**Completed:**

Reason	Date	FR Cite
Final Action	08/19/97	62 FR 44080

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Garry R. Martin
Phone: 202 208-3478**RIN:** 1076-AA15**1815. RANGE REGULATIONS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 25 CFR 162; 25 CFR 166**Completed:**

Reason	Date	FR Cite
Withdrawn	08/01/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Mark Bradford
Phone: 202 208-3598**RIN:** 1076-AD04**1816. HOUSING IMPROVEMENT PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 25 CFR 256**Completed:**

Reason	Date	FR Cite
Final Action	03/02/98	63 FR 10124

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal, Federal**1814. ROADS OF THE BUREAU OF INDIAN AFFAIRS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 25 CFR 170

DOI—BIA

Completed Actions

Agency Contact: Sheldon Greenbaum, Management Analyst, Department of the Interior, Bureau of Indian Affairs,

Room 1361 MIB, 1849 C Street NW., Washington, DC 20420

Phone: 202 208-5653

RIN: 1076–AD92

BILLING CODE 4310-02-F

DEPARTMENT OF THE INTERIOR (DOI)

Prerule Stage

Minerals Management Service (MMS)

1818. • EXPLORATION OR DEVELOPMENT AND PRODUCTION PLANS

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect State, local or tribal governments and the private sector.

Legal Authority: 43 USC 1331 et seq

CFR Citation: 25 CFR 250

Legal Deadline: None

Abstract: MMS requires companies to submit for approval their exploration and development plans for activities on

the Outer Continental Shelf. The companies must submit these plans before they can begin any activities, except preliminary activities. This rule would rewrite the requirements into clearer language and organize them into discrete sections by topic, to make them easier to follow.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/98	
ANPRM Comment Period End	03/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum_ray.mms.gov

RIN: 1010–AC47

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Minerals Management Service (MMS)

1819. ADMINISTRATIVE APPEALS PROCESS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 25 USC 2; 25 USC 9; 30 USC 189; 30 USC 285; 30 USC 359; 30 USC 1023; 30 USC 1702 et seq; 31 USC 9701; 43 USC 1334; 43 USC 1335

CFR Citation: 30 CFR 290; 30 CFR 241; 30 CFR 243; 30 CFR 250; 43 CFR 4

Legal Deadline: None

Abstract: This rule will eliminate the current regulations for MMS appeals and replace them with new regulations for appeals to the IBLA of actions taken by MMS officials. The rule will establish requirements for developing the administrative record, holding settlement consultations, paying a processing fee, and presenting arguments and documentation for use in deciding appeals.

Timetable:

Action	Date	FR Cite
NPRM	10/28/96	61 FR 55607

Action	Date	FR Cite
NPRM Comment Period End	03/27/97	
NPRM	10/00/98	
Comment Period End	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Hugh Hilliard, Chief, Appeals Division, Department of the Interior, Minerals Management Service
Phone: 202 208-2622

RIN: 1010–AC21

1820. REFUNDS AND RECOUPMENT OF OVERPAYMENTS ON OCS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 25 USC 181 et seq; 25 USC 351 et seq; 25 USC 1001 et seq; 25 USC 1701 et seq; 25 USC 1735; 25 USC 3716; 25 USC 3720a; 25 USC 9701; 25 USC 1301 et seq; 25 USC 1331 et seq; 25 USC 1801 et seq

CFR Citation: 30 CFR 206; 30 CFR 218; 30 CFR 230

Legal Deadline: None

Abstract: This rule allows MMS to pay interest on Federal onshore and offshore oil and gas royalty overpayments and makes interest charges more equitable between the payor and the recipient. Interest will be paid on overpayments related to royalty, rent and estimates resulting from sales of Federal onshore and offshore oil and gas production.

Timetable:

Action	Date	FR Cite
NPRM	11/00/98	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432

RIN: 1010–AC27

1821. TAKES VS. ENTITLEMENTS REPORTING

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1735

CFR Citation: 30 CFR 205

Legal Deadline: None

DOI—MMS

Proposed Rule Stage

Abstract: This rule addresses reporting and payment requirements for production removed and sold from a Federal lease, unit participating area, or communitization agreement beginning September 1996.

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	
NPRM Comment Period End	03/00/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432

RIN: 1010-AC29

1822. ACCOUNTING RELIEF FOR MARGINAL PROPERTIES

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1735

CFR Citation: 30 CFR 204

Legal Deadline: None

Abstract: This rule allows reporters to seek accounting, reporting, and auditing relief for their marginal properties in accordance with section 117(c) of the Federal Oil and Gas Royalty Management Act of 1982 as amended by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
NPRM Comment Period End	12/00/98	
Final Rule	06/00/99	
Final Action Effective	08/00/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432

RIN: 1010-AC30

1823. PREPAYMENT OF ROYALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 1735

CFR Citation: 30 CFR 204

Legal Deadline: None

Abstract: This rule allows payors to prepay royalty in lieu of monthly royalty payments for their marginal properties with approval from the affected States. It will establish the criteria used by payors, States, and MMS to calculate, report, and monitor royalty prepayments.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	
NPRM Comment Period End	07/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Federal

Agency Contact: David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432

RIN: 1010-AC31

1824. CHRONIC ERRONEOUS REPORTING

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 43 USC 1801 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq

CFR Citation: 30 CFR 216; 30 CFR 218

Legal Deadline: None

Abstract: This rule eliminates assessments for late reporting and failure to report and modify incorrect assessments. The new rule will define what is considered a chronic erroneous reporter and applicable assessments. Penalties for failure to report are also addressed.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	
NPRM Comment Period End	05/00/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Federal

Agency Contact: David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432

RIN: 1010-AC34

1825. TRAINING LESSEE AND CONTRACTOR EMPLOYEES ENGAGED IN OIL AND GAS OPERATIONS IN THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 43 USC 133

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would require operators and lessees to ensure that their workers (including contractors) are properly trained and can demonstrate their proficiency to MMS. Operators and lessees will determine the type of training, teaching methods, training length, and frequency. MMS will develop appropriate performance measures and indicators. These measures may include: written testing; hands-on and simulator testing; audits, interviews, or cooperative reviews; and incidence of noncompliance for civil penalty and events data.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
NPRM Comment Period End	02/00/99	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600

DOI—MMS

Proposed Rule Stage

Fax: 703 787-1093
Email: kumkum_ray.mms.gov
RIN: 1010-AC41

1826. REVIEWING EXPLORATION PLANS AND DEVELOPMENT AND PRODUCTION PLANS FOR COASTAL ZONE CONSISTENCY

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule proposes to amend provisions specifying how States will review exploration plans and development and production plans for coastal zone consistency.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
NPRM Comment Period End	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Federal

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum_ray.mms.gov
RIN: 1010-AC42

1827. OIL AND GAS DRILLING OPERATIONS

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: The rule will be written in plain English, substantive changes will be incorporated, and the rule will reflect the results of the blowout preventer study.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Action	Date	FR Cite
NPRM Comment Period End	02/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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Email: kumkum_ray.mms.gov
RIN: 1010-AC43

1828. FILING FEES FOR REQUIRED RECORDS

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 256

Legal Deadline: None

Abstract: The rule will address administrative changes pertaining to the former Atlantic OCS region and will require filing fees for certain lease transfer documents.

Timetable:

Action	Date	FR Cite
NPRM	10/00/98	
NPRM Comment Period End	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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Email: kumkum_ray.mms.gov
RIN: 1010-AC44

1829. • PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 280

Legal Deadline: None

Abstract: This rule will expand the provisions governing research by

requiring everyone conducting geological and geophysical scientific research without a permit to file a notice with MMS. These revisions respond to changes in technology and practice.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
NPRM Comment Period End	03/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum_ray.mms.gov
RIN: 1010-AC48

1830. • LEASING SULPHUR OR OIL AND GAS IN THE OUTER CONTINENTAL SHELF

Priority: Substantive, Nonsignificant

Unfunded Mandates: This action may affect the private sector under PL 104-4.

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 280

Legal Deadline: None

Abstract: This rule would update and clarify sections dealing with notices of sale, submission of bids, and lease awards.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	
NPRM Comment Period End	03/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum_ray.mms.gov
RIN: 1010-AC49

DOI—MMS

Proposed Rule Stage

1831. • CHANGE TO DELEGATED STATE AUDIT FUNCTIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1735; PL 104-185; PL 104-200**CFR Citation:** 30 CFR 227**Legal Deadline:** None**Abstract:** The revised rule would allow States to conduct audits and investigations of all or selected Federal oil and gas leases within State boundaries.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/98	
NPRM Comment Period End	02/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Undetermined**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432**RIN:** 1010-AC51**1832. • ROYALTY IN KIND FOR OIL AND GAS****Priority:** Other Significant**Legal Authority:** 30 USC 192; 43 USC 1353**CFR Citation:** 30 CFR 218**Legal Deadline:** None**Abstract:** This revision will establish a process for the Federal Government

to accept oil and gas in lieu of royalty payments from selected Federal leases.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	
NPRM Comment Period End	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Undetermined**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432**RIN:** 1010-AC52

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Minerals Management Service (MMS)

1833. ROYALTY PAYMENT LIABILITY**Priority:** Other Significant**Legal Authority:** 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq**CFR Citation:** 30 CFR 211**Legal Deadline:** None**Abstract:** Responsibilities of Minerals Management Service include the collection of royalties, bonuses, rentals, and related revenues from Federal and Indian mineral leases. These monies are, for the most part, collected from the current designated payor on the lease. However, if MMS is unable to collect from the current payor, it must pursue collections from (a) prior payor(s), the lessee, or an assignee of the lease. Existing regulations are unclear as to the responsibilities and liabilities of the parties involved. Therefore, MMS is amending its regulations to clarify payor, lessee, and assignee requirements and responsibilities for Indian mineral leases and Federal solid mineral and geothermal leases.**Timetable:**

Action	Date	FR Cite
NPRM	04/13/94	59 FR 17504

Action	Date	FR Cite
NPRM	06/09/95	60 FR 30492
Comment Period Extended	08/30/95	60 FR 45112
Comment Period Extended	10/03/95	60 FR 56033
Final Action	04/00/99	

Regulatory Flexibility Analysis
Required: No**Government Levels Affected:** None**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432**RIN:** 1010-AB45**1834. VALUATION OF GAS FROM INDIAN LEASES****Priority:** Other Significant**Legal Authority:** 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq**CFR Citation:** 30 CFR 206**Legal Deadline:** None**Abstract:** The rule will amend the regulations governing the valuation of gas produced from Indian leases. The primary purpose of these amendments

is to ensure that Indian mineral lessors receive maximum revenues from mineral resources on their land consistent with the Department's trust responsibility and lease terms.

Timetable:

Action	Date	FR Cite
ANPRM	08/04/94	59 FR 39712
NPRM	09/23/96	61 FR 49894
NPRM Comment Period End	04/04/97	62 FR 10247
Final Action	10/00/98	
Final Action Effective	02/00/99	

Regulatory Flexibility Analysis
Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Tribal**Additional Information:** This rule was developed using the negotiated rulemaking process which included representatives of MMS, Indian tribes, States, and industry.**Agency Contact:** David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432**RIN:** 1010-AB57

DOI—MMS

Final Rule Stage

1835. VALUATION OF OIL FROM FEDERAL MINERAL LEASES

Regulatory Plan: This entry is Seq. No. 46 in Part II of this issue of the **Federal Register**.

RIN: 1010-AC09

1836. VALUATION OF OIL FROM INDIAN LEASES

Regulatory Plan: This entry is Seq. No. 47 in Part II of this issue of the **Federal Register**.

RIN: 1010-AC24

1837. POSTLEASE OPERATIONS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.1 to 250.29; 30 CFR 218.154; 30 CFR 256.1; 30 CFR 256.4; 30 CFR 256.55; 30 CFR 256.73

Legal Deadline: None

Abstract: This rule is a complete rewrite in plain English and changes the current regulation by both adding and deleting language. Although some of these changes could be considered significant when compared to the current regulations, they support the policies and procedures now in place. The proposed rule is revised to be as broad and general in scope as feasible.

Timetable:

Action	Date	FR Cite
NPRM	02/13/98	63 FR 7335

Action	Date	FR Cite
NPRM Comment Period End	06/17/98	
Final Rule	03/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum_ray.mms.gov

RIN: 1010-AC32

1838. ELECTRONIC REPORTING

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701 et seq; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

CFR Citation: 30 CFR 210; 30 CFR 216

Legal Deadline: None

Abstract: This rule would modify the requirements governing forms that MMS requires for reporting sales, royalties, and production information. The revisions will specify the media required for submission of reports and broaden the use of electronic commerce reporting.

Timetable:

Action	Date	FR Cite
NPRM	04/08/98	63 FR 17133
NPRM Comment Period End	06/08/98	
Final Rule	01/00/99	
Final Action Effective	03/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432

RIN: 1010-AC40

1839. • UPDATE OF INDUSTRY ELECTRICAL STANDARDS

Priority: Routine and Frequent

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 250

Legal Deadline: None

Abstract: This rule would update a document incorporated by reference that pertains to electrical installations at petroleum facilities.

Timetable:

Action	Date	FR Cite
Final Action	12/00/98	
Final Action Effective	01/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
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Email: kumkum_ray.mms.gov

RIN: 1010-AC50

DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)

Long-Term Actions

1840. CREDIT ADJUSTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301 et seq; 25 USC 396 et seq; 25 USC 396a et seq; 25 USC 2101 et seq; 30 USC 181 et seq; 30 USC 351 et seq; 30 USC 1001 et seq; 30 USC 1701 et seq; 31 USC 9701; 43 USC 1301 et seq; 43 USC 1331 et seq; 43 USC 1801 et seq

CFR Citation: 30 CFR 218

Legal Deadline: None

Abstract: This rule will limit adjustments on royalty payments and determine the use of administrative offset for certain collections. This rule was expanded to include post-Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 impacts on credit adjustments and administrative offsets after the initial proposed rule was

published, so a new proposed rule will be issued.

Timetable:

Action	Date	FR Cite
NPRM	08/17/93	58 FR 43588
NPRM Comment Period End	11/01/93	58 FR 50301
NPRM	02/00/00	

Regulatory Flexibility Analysis Required: Yes

DOI—MMS

Long-Term Actions

Small Entities Affected: Businesses**Government Levels Affected:** None

Agency Contact: David S. Guzy, Chief Rules and Publications Staff, Department of the Interior, Minerals Management Service
Phone: 303 231-3432

RIN: 1010-AB73**1841. • OIL AND GAS PRODUCTION RATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: This rule eliminates obsolete and burdensome requirements and eliminates items on three MMS forms. In addition, the rule is rewritten into plain English.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	
NPRM Comment Period End	12/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
Phone: 703 787-1600
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Email: kumkum_ray.mms.gov

RIN: 1010-AC53**1842. • DEEP WATER EMERGENCY WELL CONTROL OPERATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None

Abstract: This rule would require an operator to have available a drilling unit capable of drilling a relief well in deep water. This unit could be available either through direct control or contractual arrangement. The rule would also require an operator to provide evidence of financial capability to carry out emergency operations in deep water.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170
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RIN: 1010-AC54

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Minerals Management Service (MMS)

1843. SEISMIC REASSESSMENT OF CALIFORNIA OUTER CONTINENTAL SHELF PLATFORMS**Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250.145**Completed:**

Reason	Date	FR Cite
Withdrawn - No Further Action Will Be Taken	07/31/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray
Phone: 703 787-1600
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Email: kumkum_ray.mms.gov

RIN: 1010-AC17**1844. AMENDMENTS TO STANDARDS FOR REPORTING AND PAYING ROYALTIES ON GAS AND THE GAS ANALYSIS REPORT**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 30 CFR 202; 30 CFR 216**Completed:**

Reason	Date	FR Cite
Final Action	05/12/98	63 FR 26362
Final Action Effective	06/29/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David S. Guzy
Phone: 303 231-3432

RIN: 1010-AC23**1845. SUSPENSION OF ORDERS OR DECISIONS PENDING APPEAL TO ALLOW FOR SELF-BONDING BASED UPON FINANCIAL SOLVENCY****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 243**Completed:**

Reason	Date	FR Cite
Merged With RIN 1010-AC21	07/31/98	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Governmental Jurisdictions

Government Levels Affected: Tribal, Federal

Agency Contact: David S. Guzy
Phone: 303 231-3432

RIN: 1010-AC28**1846. OIL SPILL RESPONSIBILITY FOR OFFSHORE FACILITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 253**Completed:**

Reason	Date	FR Cite
Final Action	08/11/98	63 FR 42699

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kumkum Ray
Phone: 703 787-1600
Fax: 703 787-1093
Email: kumkum_ray.mms.gov

RIN: 1010-AC33**1847. BLOWOUT PREVENTER TESTING REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250.57

DOI—MMS

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	06/01/98	63 FR 29604
Final Action Effective	06/30/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray

Phone: 703 787-1600

Fax: 703 787-1093

Email: kumkum_ray.mms.gov

RIN: 1010-AC37**1848. PIPELINES****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	08/17/98	63 FR 43876

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray

Phone: 703 787-1600

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Email: kumkum_ray.mms.gov

RIN: 1010-AC39**1849. REDESIGNATION OF 30 CFR PART 250****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 30 CFR 250**Completed:**

Reason	Date	FR Cite
Final Action	05/29/98	63 FR 29478
Final Action Effective	06/30/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray

Phone: 703 787-1600

Fax: 703 787-1093

Email: kumkum_ray.mms.gov

RIN: 1010-AC45**1850. • UPDATE OF DOCUMENTS INCORPORATED BY REFERENCE****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** This action may affect State, local or tribal governments and the private sector.**Legal Authority:** 43 USC 1331 et seq**CFR Citation:** 30 CFR 250**Legal Deadline:** None**Abstract:** This rule updates two documents incorporated by reference in regulations governing oil, gas, and sulphur operations in the outer continental shelf.**Timetable:**

Action	Date	FR Cite
Final Action	07/09/98	63 FR 37066
Final Action Effective	08/10/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kumkum Ray, Geologist, Department of the Interior, Minerals Management Service, 381 Elden Street, Herndon, VA 20170

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RIN: 1010-AC46

BILLING CODE 4310-MR-F

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1851. ABANDONED COAL REFUSE SITES—TITLE I**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 785; 30 CFR 829; 30 CFR 830; 30 CFR 845; 30 CFR 870**Legal Deadline:** None**Abstract:** OSM will propose new regulations governing permitting and performance standards for on-site processing of abandoned coal refuse piles and operations for removal of abandoned coal refuse piles. The rules are required to implement section 2503(e) of the Energy Policy Act of 1992.**Timetable:**

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Douglas Growitz, Hydrologist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement
Phone: 202 208-2634**RIN:** 1029-AB70**1852. CONTEMPORANEOUS RECLAMATION****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 816; 30 CFR 780; 30 CFR 773**Legal Deadline:** None**Abstract:** This rule will amend regulations to ensure that coal mine operators reclaim their operations in a

contemporaneous manner using site-based contemporaneous standards.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** John Craynon, Chief, Technology Development Staff, Department of the Interior, Office of Surface Mining Reclamation and Enforcement
Phone: 202 208-2866**RIN:** 1029-AB79**1853. INDIAN LANDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 25 CFR 200; 30 CFR 700

DOI—OSMRE

Proposed Rule Stage

Legal Deadline: None

Abstract: This rule will amend regulations to allow OSM to contract to the Navajo and Hopi tribes certain functions relating to permitting mine plan review, bonding, and other functions authorized by the Indian land provisions of SMCRA. The rule is being proposed pursuant to a settlement agreement.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal

Agency Contact: Suzy Hudak, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement
Phone: 202 208-2713

RIN: 1029-AB83

1854. DAM SAFETY RULES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816; 30 CFR 817

Legal Deadline: None

Abstract: This rule requires the surface coal mining permittee to have an emergency action plan (EAP) at the time a dam is placed in service. This would bring OSM's regulations on EAPs into compliance with the Federal guidelines for dam safety and the Department Manual. It ensures that EAPs are in place for all Class "B" and Class "C" hazard structures that may not necessarily be regulated by the Mine Safety and Health Administration but for which OSM is responsible.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: State, Federal

Agency Contact: Ruchi Kohli, Civil Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement
Phone: 202 208-2971

RIN: 1029-AB92

1855. OWNERSHIP AND CONTROL—REDESIGN

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 30 USC 1202 et seq

CFR Citation: 30 CFR 773; 30 CFR 778; 30 CFR 843

Legal Deadline: None

Abstract: This rule would succeed the April 21, 1997, interim rule promulgated to comply with the January 31, 1997, decision of the U.S. Court of Appeals. It will further clarify the definition and application of "owned and controlled" and "owns or controls" in permitting and enforcement processes. In developing this rule, we will examine current permitting and enforcement issues that may be ripe for review in order to ensure continued effective implementation of section 520(c) of the Surface Mining Control and Reclamation Act of 1977.

Timetable:

Action	Date	FR Cite
ANPRM	11/26/97	62 FR 63044
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Earl Bandy, Team Leader, Ownership and Control, Department of the Interior, Office of Surface Mining Reclamation and Enforcement
Phone: 606 233-2796

RIN: 1029-AB94

1856. • ELECTRONIC FILING OF THE OSM-1 FORM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 870

Legal Deadline: None

Abstract: This rule would allow operators the option of electronically filing the information required by the OSM-1 Form. The form is used by coal operators to report the amount of coal sold, used or transferred during the calendar quarter; the method of coal removal; the type of coal removal; and other required information.

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dennis Dechmerowski, Accountant, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Denver Federal Center, Building 20, Room B-2005, Denver, CO 80225
Phone: 303 236-0330
Email: dechmer@osmre.gov

RIN: 1029-AB95

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1857. DEFINITION AND CRITERIA FOR VALID EXISTING RIGHTS

Priority: Other Significant

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 740; 30 CFR 745; 30 CFR 761; 30 CFR 772

Legal Deadline: None

Abstract: This rule will amend the portions of the permanent program which address the circumstances which constitute valid existing rights to mine coal in areas where Congress has otherwise prohibited mining under section 522(e) of the Surface Mining Control and Reclamation Act of 1977.

This revision is in response to a court decision in round III of the litigation on OSM's permanent program regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/31/97	62 FR 4836

DOI—OSMRE

Final Rule Stage

Action	Date	FR Cite
Comment Period Extended	05/30/97	62 FR 29368
Final Action	05/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Federal

Agency Contact: Dennis Rice, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement
Phone: 202 208-2829

RIN: 1029-AB42**1858. PROHIBITIONS UNDER SECTION 522(E) OF SMCRA****Priority:** Other Significant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 761**Legal Deadline:** None

Abstract: This rule will clarify the applicability of section 522 (e) of SMCRA to subsidence resulting from underground coal mining. Section 522 (e) prohibits surface coal mining operations in certain areas designated by Congress, subject to existing rights.

Timetable:

Action	Date	FR Cite
NPRM	01/31/97	62 FR 4864
Comment Period Extended to 08/01/97	05/30/97	62 FR 29368
NPRM Comment Period End	06/02/97	
Final Action	05/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Nancy Broderick, Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement
Phone: 202 208-2700

RIN: 1029-AB82**1859. ENHANCING AML RECLAMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 1201 et seq**CFR Citation:** 30 CFR 707**Legal Deadline:** None

Abstract: This rule will amend the definition of Government-financed construction in section 707. The

definition concerns an exemption from the Surface Mining Control and Reclamation Act that is currently limited to construction funded with 50 percent or more by Government funds. This proposed change would have two impacts. It would create greater efficiency by allowing OSM to leverage limited Abandoned Mine Land Funds. It would also provide a means to address the abandoned unreclaimed refuse piles. The rule would facilitate reclamation through a new cooperative effort using resources and financing from the private sector.

Timetable:

Action	Date	FR Cite
ANPRM	11/04/97	62 FR 59639
NPRM	06/25/98	63 FR 34768
Final Action	01/00/99	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** State

Agency Contact: Douglas Growitz, Hydrologist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement
Phone: 202 208-2634

RIN: 1029-AB89

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Office of Surface Mining Reclamation and Enforcement (OSMRE)

1860. APPLICANT/VIOLATOR SYSTEM PERMIT INFORMATION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 30 CFR 701; 30 CFR 773; 30 CFR 774; 30 CFR 778; 30 CFR 843

Completed:

Reason	Date	FR Cite
Withdrawn - No Further Action Will Be Taken at This Time	07/31/98	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Federal**Agency Contact:** Stephen Sheffield

Phone: 202 208-2883

RIN: 1029-AB62**1861. ALLUVIAL VALLEY FLOORS**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 30 CFR 785**Completed:**

Reason	Date	FR Cite
Withdrawn - No Further Action Will Be Taken at This Time	07/31/98	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** State, Federal

Agency Contact: Andy DeVito
Phone: 202 208-2701

RIN: 1029-AB85**1862. REMOVAL OF 30 CFR 870.17****Priority:** Substantive, Nonsignificant**CFR Citation:** 30 CFR 870.17**Completed:**

Reason	Date	FR Cite
Final Action	03/03/98	63 FR 10307

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: James K. Krawchyk
Phone: 412 921-2976

RIN: 1029-AB93

BILLING CODE 4310-05-F

DEPARTMENT OF THE INTERIOR (DOI)

Prerule Stage

Bureau of Reclamation (RB)

1863. RECOVERING THE VALUE OF RIGHTS OF USE AND RELATED ADMINISTRATIVE COSTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 43 USC 387; 31 USC 9701**CFR Citation:** 43 CFR 429**Legal Deadline:** None**Abstract:** This rule will include new requirements to comply with OMB

Circular A-25, specify procedures for appealing decisions made by the Bureau, and include administrative procedures for concession contracts and cabin site leases.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/98	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Larry Schluntz, Economist, Reclamation Law Contracts and, Repayments Office, Department of the Interior, Bureau of Reclamation
Phone: 303 445-2901**RIN:** 1006-AA39

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Bureau of Reclamation (RB)

1864. REVENUES MANAGEMENT**Priority:** Substantive, Nonsignificant**Legal Authority:** 30 USC 191; 43 USC 375(e); 43 USC 391; 43 USC 392a; 16 USC 835; 30 USC 355; 30 USC 1019; 43 USC 374; 43 USC 375; 43 USC 394; 43 USC 521; 43 USC 501; 43 USC 562; 43 USC 525**CFR Citation:** 43 CFR 403**Legal Deadline:** None**Abstract:** This rule specifies the appropriate crediting methods used for revenues generated by incidental use of Reclamation project lands and facilities in accordance with Federal law. It is being published so that water users have access to the legal requirements that the Bureau of Reclamation applies in the crediting of these revenues.**Timetable:**

Action	Date	FR Cite
NPRM	09/12/94	59 FR 46801
NPRM Comment Period End	01/13/95	59 FR 58808
NPRM	10/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Alonzo D. Knapp, Manager, Reclamation Law, Contracts, and, Repayment Office, Department of the Interior, Bureau of Reclamation
Phone: 303 445-2889**RIN:** 1006-AA30**1865. CENTRAL VALLEY PROJECT OF CALIFORNIA—PURPOSES, USES, AND ALLOCATION OF WATER SUPPLIES****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 5 USC 551; 5 USC 553**CFR Citation:** 43 CFR 432; 50 CFR 1**Legal Deadline:** None**Abstract:** The rule will address water measurement, water conservation standards, water transfers, tiered pricing, renewal of long-term contracts, water banking and collection of payments into the restoration fund created by the Central Valley Project Improvement Act. This rule is being developed jointly by the Bureau of Reclamation and the Fish and Wildlife Service.**Timetable:**

Action	Date	FR Cite
ANPRM	08/02/94	59 FR 39316
ANPRM Comment Period End	02/01/95	59 FR 67265
NPRM	01/00/99	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Federal**Agency Contact:** Betty Riley Simpson, Repayment Specialist, Department of the Interior, Bureau of Reclamation
Phone: 916 978-5196**RIN:** 1006-AA34**1866. ACREAGE LIMITATION RULES FOR TRUSTS****Priority:** Other Significant**Legal Authority:** 43 USC 390aa to 390zz**CFR Citation:** 43 CFR 428**Legal Deadline:** None**Abstract:** During the recently completed Reclamation Reform Act of 1982 (RRA) rulemaking, the Department of the Interior received a number of comments regarding the compliance of certain large trusts with the acreage limitation provisions of the RRA. Comments expressed a variety of viewpoints, including the assertion that some trusts with landholdings (owned and leased land) in excess of 960 acres may circumvent the requirements of Federal reclamation law. The Department has received comments on this issue from various parties and is now determining how best to proceed.**Timetable:**

Action	Date	FR Cite
ANPRM	12/18/96	61 FR 66827
ANPRM Comment Period End	04/17/97	62 FR 7431
NPRM	10/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Steven Richardson, Director, Policy and External Affairs, Department of the Interior, Bureau of Reclamation
Phone: 202 208-4291**RIN:** 1006-AA38

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Reclamation (RB)

Final Rule Stage

1867. OFFSTREAM STORAGE OF COLORADO RIVER WATER AND INTERSTATE MARKETING OF STORAGE CREDITS IN THE LOWER DIVISION STATES
Priority: Other Significant**Legal Authority:** 43 USC 617; 43 USC 391; 5 USC 553; 43 USC 1501; 43 USC 485; 43 USC 546; 43 USC 340**CFR Citation:** 43 CFR 414**Legal Deadline:** None**Abstract:** This proposed rule establishes procedures for the Secretary of the Interior to follow in administering interstate storage

agreements among the Lower Division States (Arizona, Colorado, and Nevada). These agreements will permit State-authorized entities to store Colorado River water offstream, develop intentionally created unused apportionment, and make intentionally unused apportionment available to be used in another Lower Division State. The rule will help satisfy regional water demands by increasing the efficiency, flexibility, and certainty in Colorado River water management.

Timetable:

Action	Date	FR Cite
NPRM	12/31/97	62 FR 68491

Action	Date	FR Cite
NPRM Comment Period End	04/04/98	
Final Action	10/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Dale Ensminger, Contract and Repayment Specialist, Department of the Interior, Bureau of Reclamation
Phone: 702 293-8659**RIN:** 1006-AA40**BILLING CODE** 4310-09-F
DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Land Management (BLM)

Proposed Rule Stage

1868. LEASES, PERMITS, AND EASEMENTS
Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 43 USC 1732; 43 USC 1740**CFR Citation:** 43 CFR 2920**Legal Deadline:** None**Abstract:** This rule will amend the existing regulations to provide for improved administration of leases, permits and easements under the Federal Land Policy and Management Act.**Timetable:**

Action	Date	FR Cite
NPRM	11/21/90	55 FR 48810
NPRM Comment Period End	01/22/91	
Second NPRM	02/09/95	60 FR 7878
Second NPRM Comment Period End	04/10/95	
Final Rule for Minimum Impact Land Use Permits Only	06/24/96	61 FR 32351
Final Rule Effective	07/24/96	
Third NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DCPhone: 202 452-7779
Fax: 202 452-7708**RIN:** 1004-AB51
1869. SALES—FEDERAL LAND POLICY AND MANAGEMENT ACT
Priority: Substantive, Nonsignificant**Legal Authority:** 43 USC 1701; 43 USC 1713**CFR Citation:** 43 CFR 2710**Legal Deadline:** None**Abstract:** This rule will amend 43 CFR part 2710 to provide for improved administration of sales of public land under the Federal Land Policy and Management Act.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Jim Paugh, Realty Specialist, Department of the Interior, Bureau of Land Management
Phone: 307 775-6306**RIN:** 1004-AB77
1870. DESERT LAND ENTRIES
Priority: Info./Admin./Other**Major:** Undetermined**Legal Authority:** 43 USC 1740**CFR Citation:** 43 CFR 2520**Legal Deadline:** None**Abstract:** This rule will transfer much of the regulation on entries of desert land to the BLM Manual if the underlying statute is not repealed as no longer practical.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C. Street NW., Washington, DC
Phone: 202 452-7779
Fax: 202 452-7708**RIN:** 1004-AC56
1871. DISPOSAL OF RESERVED MINERALS UNDER THE STOCK RAISING HOMESTEAD ACT
Priority: Substantive, Nonsignificant**Legal Authority:** 43 USC 299**CFR Citation:** 43 CFR 3814**Legal Deadline:**

Final, Statutory, October 13, 1993.

Abstract: This rule will establish new procedures for mineral exploration and development under the General Mining Law of 1872 on lands where the surface was patented under the Stock Raising Homestead Act of 1916 and the mineral estate remains reserved to the Federal Government.

DOI—BLM

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	03/00/99	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined

Agency Contact: Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-0355

RIN: 1004-AC59

1872. LAND WITHDRAWALS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 43 USC 1714; 43 USC 1740

CFR Citation: 43 CFR 2091; 43 CFR 2310; 43 CFR 2370

Legal Deadline: None

Abstract: This rule will revise the regulations on withdrawals and revocations of withdrawals to streamline operations and clarify the regulations. It will also amend the regulations to expedite the opening of formerly withdrawn lands to the operation of the public land laws.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C. Street NW., Washington, DC
Phone: 202 452-7779
Fax: 202 452-7708

RIN: 1004-AC63

1873. COST RECOVERY; MINERAL FILINGS AND OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 360; 30 USC 1001 et seq; 30 USC 22; 5 USC app; 31 USC 9701; 43 USC 1734

CFR Citation: 43 CFR 3100; 43 CFR 3200; 43 CFR 3400; 43 CFR 3500; 43 CFR 3600; 43 CFR 3700; 43 CFR 3800

Legal Deadline: None

Abstract: This rule will amend regulations for user fees for locatable minerals, mineral materials, and leasable minerals (solids and fluids) to adjust current fees or establish new fees in accordance with title V of the Independent Offices Appropriations Act of 1952 (user charges), OMB Circular A-25 "User Charges" and section 304 of the Federal Land Policy and Management Act of 1976.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Durga N. Rimal, Geologist, Department of the Interior, Bureau of Land Management
Phone: 202 452-0350
Email: drimal@wo.blm.gov

RIN: 1004-AC64

1874. RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 2800; 43 CFR 2880

Legal Deadline: None

Abstract: This rule will move much of the existing regulations to manuals notices to applicants, etc. This action will ease update of cost recovery schedules. Materials will be combined with other rights-of-way guidance.

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ron Montagna, Realty Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-7782

RIN: 1004-AC74

1875. RAILROAD GRANTS

Priority: Routine and Frequent

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

Legal Authority: 43 USC 1201; 49 USC 65

CFR Citation: 43 CFR 2630

Legal Deadline: None

Abstract: This rule will remove these regulations in their entirety due to their limited usage.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ian Senio, Regulatory Analyst, Department of the Interior, Bureau of Land Management, Regulatory Management Team (WO-630), 1849 C Street NW., Washington, DC 20240, Mail Stop 401 L St.
Phone: 202 452-5049
Email: isenio@wo.blm.gov

RIN: 1004-AC76

1876. LAND CLASSIFICATION

Priority: Info./Admin./Other

Major: Undetermined

Legal Authority: 43 USC 315; EO 6910; EO 6964; 43 USC 1411 to 1418; 43 USC 869

CFR Citation: 43 CFR 2400

Legal Deadline: None

Abstract: This rule will revise 43 CFR group 2400 and redesignate it as part 1620. Most of these regulations are no longer needed because they contain either statutory reiteration or internal procedures best suited to the BLM Manual. Land classification can be accomplished through the BLM planning process.

Timetable:

Action	Date	FR Cite
NPRM	02/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of

DOI—BLM

Proposed Rule Stage

the Interior, Bureau of Land Management, 1849 C. Street NW., Washington, DC
Phone: 202 452-7779
Fax: 202 452-7708

RIN: 1004-AC78

1877. CAREY ACT GRANTS

Priority: Info./Admin./Other

Major: Undetermined

Legal Authority: 43 USC 641 et seq

CFR Citation: 43 CFR 2610

Legal Deadline: None

Abstract: This rule will update these regulations as they are inconsistent with present day management policies. Application of these provisions of the Carey Act is rarely feasible due to limited water and suitable lands.

Timetable:

Action	Date	FR Cite
NPRM	09/10/96	61 FR 47725
NPRM Comment Period End	10/10/96	
Supplementary NPRM	02/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C. Street NW., Washington, DC
Phone: 202 452-7779
Fax: 202 452-7708

RIN: 1004-AC80

1878. CONVEYANCES, DISCLAIMERS, AND CORRECTION DOCUMENTS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 15; 43 USC 1161; 43 USC 1201; 43 USC 1745; 43 USC 1746

CFR Citation: 43 CFR 1860

Legal Deadline: None

Abstract: This rule will update portions of the existing regulation and eliminate outdated provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management
Phone: 202 452-5042
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Email: thudson@wo.blm.gov

RIN: 1004-AC82

1879. SEGREGATION AND OPENING OF LANDS

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 2091

Legal Deadline: None

Abstract: This rule will simplify and modernize the existing regulations on segregation and opening public lands that are involved in various transactions such as sales or exchanges.

Timetable:

Action	Date	FR Cite
NPRM	02/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeff O. Holdren, Deputy Group Manager, Department of the Interior, Bureau of Land Management, 1849 C. Street NW., Washington, DC
Phone: 202 452-7779
Fax: 202 452-7708

RIN: 1004-AC84

1880. OIL AND GAS LEASING AND OPERATIONS

Regulatory Plan: This entry is Seq. No. 48 in Part II of this issue of the **Federal Register**.

RIN: 1004-AC94

1881. APPEALS PROCEDURES; HEARINGS PROCEDURES

Priority: Info./Admin./Other

Major: Undetermined

Legal Authority: 43 USC 1701; 43 USC 1740

CFR Citation: 43 CFR 1840; 43 CFR 1850

Legal Deadline: None

Abstract: BLM proposes to amend its regulations that govern administrative review procedures for protests of proposed decisions, contests appeals of BLM decisions, and hearings on the record. The proposed regulations would provide more consistent procedures for administrative review of BLM decisions, and would clarify when and how BLM decisions go into effect and whether an appeal will stay the effectiveness of a BLM decision.

Timetable:

Action	Date	FR Cite
NPRM	10/17/96	61 FR 54120
NPRM Comment Period End	01/17/97	61 FR 58160
Second NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management
Phone: 202 452-5012
Fax: 202 653-5287
Email: cfontecc@wo.blm.gov

RIN: 1004-AC99

1882. COLOR OF TITLE AND OMITTED LANDS

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 2540

Legal Deadline: None

Abstract: As part of its reinventing government effort, BLM proposes to rewrite the current color of title and omitted lands regulations in plain English. No substantive changes are proposed.

DOI—BLM

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	01/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Ted Hudson, Regulatory Analyst, Department of the Interior, Bureau of Land Management
Phone: 202 452-5042
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Email: thudson@wo.blm.gov

RIN: 1004-AD00**1883. PALEONTOLOGICAL RESOURCES****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1740**CFR Citation:** 43 CFR 3622; 43 CFR 8365; 43 CFR 6600**Legal Deadline:** None

Abstract: This rule will consolidate into one part of the CFR various BLM regulatory provisions relating to paleontological resource management and rewrite them in plain English.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Carl Barna, Paleontological Program Coordinator, Department of the Interior, Bureau of Land Management
Phone: 202 452-0325

RIN: 1004-AD03**1884. GEOTHERMAL RESOURCE UNIT AGREEMENT****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1740; 30 USC 1001 et seq**CFR Citation:** 43 CFR 3280**Legal Deadline:** None

Abstract: This rule will rewrite unit agreement regulations, reduce and streamline information and permitting requirements, provide BLM maximum flexibility in permitting decision making to accommodate the full range of unitization scenarios, and reorganize the regulations to make specific requirements easier to find and understand.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management
Phone: 202 452-5012
Fax: 202 653-5287
Email: cfontecc@wo.blm.gov

RIN: 1004-AD10**1885. COAL MANAGEMENT****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 30 USC 189; 30 USC 359; 30 USC 1266; 43 USC 1733; 43 USC 1740**CFR Citation:** 43 CFR 3400**Legal Deadline:** None

Abstract: This rule will clarify and streamline policy on coal exploration and post-lease operations. It will reorganize and revise portions of the Federal coal management program regulations, including exploration licenses, lease suspensions, lease administration diligence, and exploration and mining operations on leased Federal coal.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Bill Radden-LeSage, Mining Engineer, Department of the Interior, Bureau of Land Management
Phone: 202 452-0360

RIN: 1004-AD11**1886. OIL AND GAS LEASING; NATIONAL PETROLEUM RESERVE, ALASKA—TRANSFERS, EXTENSIONS, AND CONSOLIDATIONS****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 6503; 43 USC 1740**CFR Citation:** 43 CFR 3130; 43 CFR 3135**Legal Deadline:** None

Abstract: This rule will make clear whether lessees may enter into unit agreements involving lands in the National Petroleum Reserve Alaska.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

Agency Contact: Erick Kaarlela, Senior Specialist, Operations and Inspection, Department of the Interior, Bureau of Land Management
Phone: 202 452-0341

RIN: 1004-AD13**1887. SURFACE MANAGEMENT (LOCATABLE MINERALS)**

Regulatory Plan: This entry is Seq. No. 49 in Part II of this issue of the **Federal Register**.

RIN: 1004-AD22**1888. FINANCIAL ASSISTANCE; LOCAL GOVERNMENTS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

DOI—BLM

Proposed Rule Stage

Legal Authority: 43 USC 1740; 31 USC 1601 et seq

CFR Citation: 43 CFR 1880

Legal Deadline: None

Abstract: This rule will update the regulations on payments to State and local governments in lieu of taxes to reflect changes in law.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Bill Howell, Accountant, Department of the Interior, Bureau of Land Management
Phone: 202 452-7721

RIN: 1004-AD23

1889. USE AUTHORIZATIONS (RECREATION)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1740; 16 USC 4601-6a

CFR Citation: 43 CFR 8370

Legal Deadline: None

Abstract: This rule will revise the regulations on the issuance of special recreation permits for purposes of clarification and updating and will add regulations on the issuance of recreation use permits for the use of fee areas.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Lee Larson, Recreation Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-5168

RIN: 1004-AD25

1890. ADVISORY COMMITTEES

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 5 USC app 1; 43 USC 1739; 43 USC 1740

CFR Citation: 43 CFR 1784

Legal Deadline: None

Abstract: This rule will remove most or all of the regulation because it duplicates advisory committee regulations elsewhere in the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management
Phone: 202 452-5012
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RIN: 1004-AD26

1891. COAL MANAGEMENT: GENERAL (PUBLIC PARTICIPATION)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3420

Legal Deadline: None

Abstract: This rule will amend the Federal coal management regulations by listing all opportunities for public comment in the coal leasing process.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Philip Allard, Geologist, Department of the Interior, Bureau of Land Management, 1849 C Street NW., Washington, DC
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Email: pallard@wo.blm.gov

RIN: 1004-AD27

1892. MINERAL MATERIALS DISPOSAL

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 30 USC 601 et seq

CFR Citation: 43 CFR 3600; 43 CFR 3610; 43 CFR 3620

Legal Deadline: None

Abstract: This rule will revise completely the regulations on mineral materials disposal to make them easier to understand. It will add provisions on recordkeeping and audit inspection, inspection and production verification, cancellation and suspension, appeals and clarification of the rights of competitive or noncompetitive purchasers against subsequent claims on and users of the public lands.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Durga N. Rimal, Geologist, Department of the Interior, Bureau of Land Management
Phone: 202 452-0350
Email: drimal@wo.blm.gov

RIN: 1004-AD29

1893. EMERGENCY FIRE AND DISASTER REHABILITATION

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 315a et seq; 43 USC 1740

CFR Citation: 43 CFR 9240

Legal Deadline: None

DOI—BLM

Proposed Rule Stage

Abstract: This rule will make emergency rehabilitation project decisions effective upon issuance to minimize unnecessary delay in repairing damage caused by fire and other natural disasters, and avoiding erosion and other adverse impacts on public lands resulting from natural disasters.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Tom Roberts, Range Conservationist, Department of the Interior, Bureau of Land Management, 1849 C. St. NW., Washington, DC
Phone: 202 452-7769
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RIN: 1004-AD30

1894. LOCATION OF MINING CLAIMS; ASSESSMENT WORK; PUBLIC LAW 359 - MINING IN POWERSITE WITHDRAWALS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 30 USC 22 to 54; 43 USC 1740; 43 USC 1201

CFR Citation: 43 CFR 3730; 43 CFR 3740; 43 CFR 3810; 43 CFR 3820

Legal Deadline: None

Abstract: This rule will amend the mining claim recordation and annual fee collection procedures to conform to the Fiscal Year 1999 Interior and Related Agencies Appropriations Act. It will also consolidate duplicative portions of 43 CFR part 3700 et seq. into 43 CFR part 3800 et seq., and remove the duplicative portions of these regulations from title 43.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: The \$100 annual maintenance fee and related provisions expire on 9/30/98. The fee and related provisions will likely be made permanent in the FY 1999 budget legislation. The existing regulations will have to be amended to conform to the legislation. BLM will take the opportunity to do long-delayed but necessary housekeeping of these parts of title 43 to consolidate duplicative sections.

Agency Contact: Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-0355

RIN: 1004-AD31

1895. MINERAL PATENT APPLICATIONS; ADVERSE CLAIMS, PROTESTS, AND CONFLICTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 30 USC 22 to 54; 43 USC 1201; 43 USC 1740

CFR Citation: 43 CFR 3730; 43 CFR 3740; 43 CFR 3860; 43 CFR 3870; 43 CFR 3820

Legal Deadline: None

Abstract: This rule will revise the filing and administrative procedures for mineral patent applications. It will also revise the procedures for filing adverse claims or protests against mineral patent applications and for mineral-in-character challenges to non-mineral land entries.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Additional Information: This rulemaking was ordered by the Secretary of the Interior on November 14, 1997. Much of the language of these regulations has remained unchanged since 1939 and needs modernization.

Agency Contact: Roger Haskins, Mining Law Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-0355

RIN: 1004-AD32

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Bureau of Land Management (BLM)

1896. MANAGEMENT OF DESIGNATED WILDERNESS AREA

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1701 et seq; 16 USC 1131 et seq

CFR Citation: 43 CFR 8560; 43 CFR 6300

Legal Deadline: None

Abstract: This rule will amend the existing regulations to remove obsolete provisions, clarify and simplify the regulations, and add provisions on access to inholdings, rights-of-way, use of mechanized equipment by certain individuals, access by Native Americans.

Timetable:

Action	Date	FR Cite
NPRM	12/19/96	61 FR 66968
NPRM Comment Period End	02/18/97	
Final Action	12/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

DOI—BLM

Final Rule Stage

Agency Contact: Jeff Jarvis, Wilderness Specialist, Department of the Interior, Bureau of Land Management
Phone: 202 452-5189

RIN: 1004-AB69

1897. MANAGEMENT OF SOLID MINERALS OTHER THAN COAL

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 3500

Legal Deadline: None

Abstract: This rule will remove repetitive introductory material and combine the common provisions of the series of regulations of leasing of specific non-coal minerals.

Timetable:

Action	Date	FR Cite
NPRM	10/18/96	61 FR 54384
NPRM Comment	03/07/97	62 FR 5373
Period End		
Final Action	01/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Christopher Fontecchio, Regulatory Analyst, Department of the Interior, Bureau of Land Management
Phone: 202 452-5012
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Email: cfontecc@wo.blm.gov

RIN: 1004-AC49

1898. MINERAL MATERIALS DISPOSAL

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 30 USC 601 et seq

CFR Citation: 43 CFR 3600; 43 CFR 3610; 43 CFR 3620

Legal Deadline: None

Abstract: This rule will amend current regulations to simplify and make

bonding requirements easier to follow. It also adds a provision under which certificates of deposit could be used as a bond. In addition, some editorial changes will be made to make the rules easier to understand.

Timetable:

Action	Date	FR Cite
NPRM	08/02/96	61 FR 40373
NPRM Comment	09/03/96	
Period End		
Final Action	01/00/99	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Durga N. Rimal, Geologist, Department of the Interior, Bureau of Land Management
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RIN: 1004-AC68

1899. DEFINITIONS

Priority: Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 1201; 43 USC 1740

CFR Citation: 43 CFR 1300

Legal Deadline: None

Abstract: This rule will relocate definitions from various sections of BLM's portion of 43 CFR into a central section for general definitions. The new location will be in 43 CFR 1800. Several definitions that had been formerly repeated in various sections will appear as one consolidated definition.

Timetable:

Action	Date	FR Cite
NPRM	11/19/96	61 FR 58843
NPRM Comment	01/21/97	
Period End		
Final Action	01/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1004-AC73

1900. INDIAN ALLOTMENTS

Priority: Info./Admin./Other

Major: Undetermined

Legal Authority: 43 USC 1201; 25 USC 334; 25 USC 336

CFR Citation: 43 CFR 2530

Legal Deadline: None

Abstract: This rule will convert existing regulations to plain English and remove those portions that relate to procedural matters.

Timetable:

Action	Date	FR Cite
NPRM	10/16/96	61 FR 53887
NPRM Comment	11/15/96	
Period End		
Final Action	10/00/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1004-AC77

1901. APPLICATION PROCEDURES

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 43 USC 251; 43 USC 263; 43 USC 689; 43 USC 690; 43 USC 1201; 43 USC 1374; 43 USC 1740

CFR Citation: 43 CFR 1820

Legal Deadline: None

Abstract: This rule will revise the existing regulation to consolidate certain business practice rules and update to recognize modern technology.

Timetable:

Action	Date	FR Cite
NPRM	10/01/97	62 FR 51402
NPRM Comment	12/01/97	
Period End		
Final Action	10/00/98	

DOI—BLM

Final Rule Stage

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1004-AC83

DEPARTMENT OF THE INTERIOR (DOI)

Long-Term Actions

Bureau of Land Management (BLM)

1902. COALBED METHANE DEVELOPMENT

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 13368

CFR Citation: 43 CFR 3170

Legal Deadline:

Final, Statutory, October 24, 1995.

Abstract: The rule will implement section 1339 of the Energy Policy Act of 1992. It will prevent conflicts in ownership of coalbed methane from impeding development of that resource by requiring pooling of development and payment of the proceeds into an escrow account until the ownership issue is resolved by a State entity of competent jurisdiction. The rule will also allow States to avoid the Federal regulations by promulgating their own regulations that substantially comply with Federal requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/15/95	60 FR 47920
NPRM Comment Period End	11/14/95	
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Federal

Agency Contact: David R. Stewart,
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Mineral Resources, Department of the
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RIN: 1004-AC27

1903. OIL AND GAS LEASING; DRAINAGE

Priority: Substantive, Nonsignificant

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 3100

Legal Deadline: None

Abstract: This rule will specify who has the responsibility for drainage protection, what it constitutes, and when it begins.

Timetable:

Action	Date	FR Cite
NPRM	01/13/98	63 FR 1936
NPRM Comment Period End	05/15/98	63 FR 9171
Final Action	00/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Donnie Shaw, Fluid Minerals Group, Department of the Interior, Bureau of Land Management
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RIN: 1004-AC54

1904. HELIUM CONTRACTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 43 USC 1740

CFR Citation: 43 CFR 3750; 30 CFR 602

Legal Deadline: None

Abstract: This rule will require Federal agencies with major requirements for helium to purchase from authorized Federal helium suppliers and in turn require those suppliers to purchase a like amount of crude helium from the helium reserve, and set up reporting requirements for the agencies and suppliers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/28/98	63 FR 40175
Comment Period End	08/27/98	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1004-AD24

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Bureau of Land Management (BLM)

1905. PUBLIC AVAILABILITY OF MINERALS RESOURCES INFORMATION

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

CFR Citation: 43 CFR 3000

Completed:

Reason	Date	FR Cite
Final Action	10/01/98	63 FR 52946
Final Action Effective	11/02/98	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sid Vogelpohl
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RIN: 1004-AB55

DOI—BLM

Completed Actions

1906. SPECIAL AREAS; STATE IRRIGATION DISTRICTS**Priority:** Info./Admin./Other**Major:** Undetermined**CFR Citation:** 43 CFR 2780**Completed:**

Reason	Date	FR Cite
Final Action	09/30/98	63 FR 52185
Final Action Effective	10/01/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Christopher Fontecchio

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RIN: 1004-AC53**1907. STATE EXCHANGES; NATIONAL PARK SYSTEM EXCHANGES; WILDLIFE REFUGE EXCHANGES; MISCELLANEOUS EXCHANGES****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 43 CFR 2210; 43 CFR 2240; 43 CFR 2250; 43 CFR 2270**Completed:**

Reason	Date	FR Cite
Final Action	09/29/98	63 FR 52615
Final Action Effective	10/01/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Christopher Fontecchio

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RIN: 1004-AC58**1908. GRAZING ADMINISTRATION; ALASKA; LIVESTOCK****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 43 CFR 4200**Completed:**

Reason	Date	FR Cite
Final Action	09/29/98	63 FR 51853
Final Action Effective	10/29/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Shirlean Beshir

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RIN: 1004-AC70**1909. ALASKA NATIVE SELECTIONS****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 43 CFR 2650**Completed:**

Reason	Date	FR Cite
Withdrawn	07/30/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Christopher Fontecchio

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RIN: 1004-AC72**1910. USE; RIGHTS-OF-WAY****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 43 CFR 2800**Completed:**

Reason	Date	FR Cite
Merged With RIN 1004-AC74	07/01/98	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Ron Montagna

Phone: 202 452-7782

RIN: 1004-AC75**1911. PLANNING, PROGRAMMING, AND BUDGETING****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 43 CFR 1600**Completed:**

Reason	Date	FR Cite
Withdrawn - No Action Planned at This Time	10/01/98	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Ted Milesnick

Phone: 202 452-7727

RIN: 1004-AC86**1912. SUSTAINED YIELD FOREST UNITS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 43 CFR 5040**Completed:**

Reason	Date	FR Cite
Final Action	03/18/98	63 FR 13130

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Lyndon Werner

Phone: 503 952-6071

RIN: 1004-AC93**1913. NATIONAL FOREST EXCHANGES****Priority:** Info./Admin./Other**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.**CFR Citation:** 43 CFR 2202**Completed:**

Reason	Date	FR Cite
Final Action	04/30/98	63 FR 23680

DOI—BLM

Completed Actions

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

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RIN: 1004-AC97

**1914. GRAZING ADMINISTRATION:
ALASKA; REINDEER****Priority:** Info./Admin./Other

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 43 CFR 4300**Completed:**

Reason	Date	FR Cite
Final Action	10/16/98	63 FR 55548
Final Action Effective	11/16/98	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

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RIN: 1004-AD06

**1915. GEOTHERMAL RESOURCES
LEASING****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 43 CFR 3200**Completed:**

Reason	Date	FR Cite
Final Action	09/30/98	63 FR 52356
Final Action Effective	10/01/98	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

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RIN: 1004-AD08

**1916. AUTHORITIES/MISSION
STATEMENT****Priority:** Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 43 CFR 1800**Completed:**

Reason	Date	FR Cite
Withdrawn - No Action	07/29/98	
Anticipated in the Foreseeable Future		

**Regulatory Flexibility Analysis
Required:** Undetermined**Government Levels Affected:** Undetermined

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RIN: 1004-AD15

**1917. WILD HORSE AND BURRO
ADOPTIONS; POWER OF ATTORNEY****Priority:** Substantive, Nonsignificant**CFR Citation:** 43 CFR 4700**Completed:**

Reason	Date	FR Cite
Final Action	04/15/98	63 FR 18339

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None

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RIN: 1004-AD28
BILLING CODE 4310-84-F

**DEPARTMENT OF THE INTERIOR (DOI)
Office of the Secretary (OS)**

Proposed Rule Stage

1918. WILD AND SCENIC RIVERS**Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 16 USC 1278**CFR Citation:** 43 CFR 39**Legal Deadline:** None

Abstract: This rule would establish uniform standards and procedures by

which the Department of the Interior, through its agencies that administer rivers in the National Wild and Scenic Rivers System (Bureau of Land Management, Fish and Wildlife Service, and National Park Service), will consider Federal licensing of, or assistance to, water resources projects affecting designated Wild and Scenic Rivers or congressionally authorized Study Rivers.

Timetable:

Action	Date	FR Cite
NPRM	12/00/98	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** Federal

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RIN: 1093-AA08

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